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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ORION S. EHRINGER,
Plaintiff,
v.
STATE OF CALIFORNIA,
Defendant.

No. 2:15-CV-00985-KJM-AC

ORDER

On March 1, 2016, the magistrate judge recommended dismissal of plaintiff’s first amended complaint for failure to state a claim under Federal Rule of Civil Procedure 8(a)(2) and granted thirty days for plaintiff to file a second amended complaint. ECF No. 24 at 10. This court adopted the magistrate court’s findings and recommendations on March 29, 2016. ECF No. 26. Thereafter, plaintiff did not file a second amended complaint or take any further action to further litigation of this case. In response to plaintiffs’ inaction, the court ordered plaintiff to show cause within fourteen days why this case should not be dismissed for his failure to prosecute. Order, Aug. 23, 2016, ECF No. 28.

Now, over four months later, plaintiff has yet to respond to the order to show cause, or take any further action in this case. The court hereby DISMISSES the action for failure to prosecute in accordance with Fed. R. Civ. P. 41(b). The Clerk of Court is directed to enter judgment and close this case.

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IT IS SO ORDERED.

DATED: February 2, 2017


UNITED STATES DISTRICT JUDGE