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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WONDIYRAD KABEDE,  
Plaintiff,  
v.  
GARY BROWN, et al.,  
Defendants.

No. 2:16-cv-1765 JAM DB P

ORDER

Plaintiff is a state prison proceeding pro se and in forma pauperis with this action under 42 U.S.C. § 1983. Plaintiff alleges an Eighth Amendment claim based on his medical care and First Amendment claims for retaliation and regarding his legal mail.

By order filed February 22, 2017, plaintiff’s complaint was dismissed and thirty days leave to file an amended complaint was granted. In an order filed April 4, 2017, plaintiff was given another thirty days to file an amended complaint. Plaintiff sought reconsideration of the February 22 order. By order filed April 20, 2017, the motion for reconsideration was denied and plaintiff was provided an additional thirty days to file an amended complaint. Thirty days from that date have now passed, and plaintiff has not filed an amended complaint, or otherwise responded to the court’s order.

Plaintiff was warned in the February 22 and April 4 orders that his failure to file an amended complaint in accordance with the February 22 order might result in a recommendation

1 that this action be dismissed. Plaintiff will be given one final opportunity to file an amended  
2 complaint.

3 Accordingly, IT IS HEREBY ORDERED that within thirty days of the date of this order  
4 plaintiff shall file an amended complaint in compliance with the court's order filed on February  
5 22, 2017. If plaintiff fails to file a timely amended complaint, this court will recommend that this  
6 action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

7 Dated: May 30, 2017

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11 DEBORAH BARNES  
12 UNITED STATES MAGISTRATE JUDGE  
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