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| 8  | UNITED STATES DISTRICT COURT  |                       |
| 9  | FOR THE EASTERN DISTRICT OF CALIFORNIA  |                       |
| 10 |   |                       |
| 11 | RAYMUNDO JIMENEZ-AYALA,   | No. 2:17-cv-1150 DB P |
| 12 | Plaintiff,  |                       |
| 13 | v.  | <u>ORDER</u>          |
| 14 | J. SALAZAR, et al.,   |                       |
| 15 | Defendants.   |                       |
| 16 |   |                       |
| 17 | Plaintiff is a federal prisoner proceeding pro se in a civil rights action pursuant to Bivens           |                       |
| 18 | vs. Six Unknown Agents, 403 U.S. 388 (1971). Plaintiff alleges defendants failed to provide him         |                       |
| 19 | with adequate medical treatment in violation of the Eighth Amendment.                                   |                       |
| 20 | By order dated November 26, 2018, plaintiff's first amended complaint was screened and                  |                       |
| 21 | dismissed for failure to state a claim. (ECF No. 11.) Plaintiff was directed to file an amended         |                       |
| 22 | complaint within thirty days and warned that failure to file an amended complaint would result in       |                       |
| 23 | a recommendation that this action be dismissed. Those thirty days have passed and plaintiff has         |                       |
| 24 | not filed an amended complaint, requested additional time to file an amended complaint, updated         |                       |
| 25 | his address, or otherwise responded to the court's order.   |                       |
| 26 | Accordingly, IT IS HEREBY ORDERED that within fourteen days of the date of this order,                  |                       |
| 27 | plaintiff shall either dismiss this action or file an amended complaint. If he fails to do so the court |                       |
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| 1           | will recommend that this action be dismissed for plaintiff's failure to comply with court order |  |
|-------------|---|--|
| 2           | and failure to prosecute. See E.D. Cal. R. 110; E.D. Cal. R. 183(b); Fed. R. Civ. P. 41.        |  |
| 3<br>4<br>5 | Dated: January 18, 2019  Muonella January 18, 2019  |  |
| 6           | DEBORAH BARNES UNITED STATES MAGISTRATE JUDGE   |  |
| 7<br>8      | DLB:12 DLB:1/Orders/Prisoner.Civil.Rights/jimi1150.osc  |  |
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