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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TYRANE LEE WHITE,
Plaintiff,
v.
MIN HLAING,
Defendant.

No. 2:19-cv-0462-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

On April 30, 2019, the court screened plaintiff’s complaint pursuant to 28 U.S.C. § 1915A. ECF No. 9. The court ordered plaintiff to show cause within 30 days why the case should not be dismissed for plaintiff’s failure to exhaust administrative remedies prior to filing suit. That order warned plaintiff that failure to so respond would result in the dismissal of this action.

On May 20, 2019, plaintiff notified the court that he had received some, but not all, of the relief he sought by way of his initial complaint. ECF No. 12. He stated that he wished to abandon any claim for money damages but to pursue a claim for injunctive relief. *Id.* On May 23, 2019, the court informed plaintiff that if he wished to so proceed, he must file an amended

1 complaint within 30 days and that failure to do so would result in the dismissal of this action.
2 ECF No. 13.

3 The time for acting had passed and plaintiff had neither responded to the court's order to
4 show cause nor filed an amended complaint. In an abundance of caution, the court extended to
5 plaintiff a final 30-day extension of time to either respond to the April 30, 2019 order to show
6 cause or file an amended complaint in accordance with the May 23, 2019 order. That order was
7 returned to the court by the United States Postal Service as undeliverable and since then, plaintiff
8 has filed a notice of change of address. ECF No. 15.

9 Accordingly, IT IS ORDERED that plaintiff is granted a final 30-day extension of time to
10 either respond to the April 30, 2019 order to show cause or file an amended complaint in
11 accordance with the May 23, 2019 order. Failure to so comply will result in a recommendation of
12 dismissal for failure to prosecute.

13 So ordered.

14 DATED: October 7, 2019.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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