

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BLISS HEBERLEIN GREEN,

Plaintiff,

v.

DOUGLAS COUNTY SHERIFF'S
DEPARTMENT et al.,

Defendants.

Civ. No. 6:16-cv-00575-MC

OPINION AND ORDER

MCSHANE, Judge:

Plaintiff, an eighty-five year old California resident filing *pro se*, filed his initial complaint against various Defendants including the Douglas County Sheriff's Department and the Oregon Department of Motor Vehicles' ("DMV") Roseburg branch on April 4, 2016. Compl. 1, ECF No. 1. On April 11, 2016, this Court issued an Order to Show Cause and accompanying Opinion dismissing plaintiff's complaint for failure to state a claim. Opinion and Order, ECF No. 4. In consideration of plaintiff's *pro se* status, this Court granted plaintiff until May 11, 2016, to file an amended complaint curing the deficiencies identified in the Court's Opinion. *Id.* at 3.

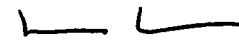
The deficiencies identified by this Court, in brief, were: (1) failure to identify any duty to read *Miranda* warnings as part of a routine traffic stop during which Plaintiff walked away from the officer involved; (2) failure to state a constitutional claim to relief plausible on its face regarding a comment from the officer about potentially suspending Plaintiff's license; and (3) failure to identify any duty of an officer to warn Plaintiff that his tires were low before allowing him drive away. *See* ECF No. 4 at 2–4.

Plaintiff thereafter voluntarily withdrew his complaint on April 26, 2016. ECF No. 6. This court accepted that withdrawal that same day and allowed Plaintiff's filing fee to be refunded by the Clerk of Court. ECF No. 7. Following an interceding event loosely described by Plaintiff, which this Court reads to have been some manner of phone conversation, Plaintiff moved to withdraw his withdrawal, ECF No. 8, which this Court allowed. ECF No. 9. That allowance reinitiated the Court's previous Order to Show Cause. ECF No. 9.

On June 23, 2016, Plaintiff timely filed his amended complaint. In that document, Plaintiff does not address any of the deficiencies identified above. He instead comments on various contentions he has with the Oregon DMV and provides even less specific claims against the Sheriff's deputy defendant. Because Plaintiff has failed to comply with this Court's initial Order to Show Cause, ECF No. 4, by failing to cure or even address any of the deficiencies in his various claims, this action is DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 28 day of June, 2016.



Michael J. McShane
United States District Judge