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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

BRAD A. WILLIAMS,

1:07-cv-01591-OWW-SMS-PC

Plaintiff,

FINDINGS AND RECOMMENDATIONS,  
RECOMMENDING THAT THIS ACTION BE  
DISMISSED, WITH PREJUDICE, FOR  
FAILURE TO STATE A CLAIM UPON  
WHICH RELIEF MAY BE GRANTED  
(Doc. 8.)

v.

ADAMS, et al.,

Defendants.

OBJECTIONS, IF ANY, DUE WITHIN  
THIRTY DAYS

\_\_\_\_\_ /

Plaintiff Brad A. Williams (“Plaintiff”) is a former state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on November 1, 2007. (Doc. 1.)

On December 4, 2009, the undersigned dismissed Plaintiff’s complaint for failure to state a claim upon which relief may be granted and gave Plaintiff leave to file an amended complaint within thirty days. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e). (Doc. 8.) To date, Plaintiff has not complied with or otherwise responded to the Court’s order. As a result, there is no pleading on file which sets forth any claims upon which relief may be granted under section 1983.

Accordingly, pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e), the undersigned  
HEREBY RECOMMENDS that:

This action be dismissed, with prejudice, based on Plaintiff’s failure to state any claims upon which relief may be granted under section 1983.

1           These Findings and Recommendations will be submitted to the United States District Judge  
2 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within **thirty (30)**  
3 **days** after being served with these Findings and Recommendations, Plaintiff may file written  
4 objections with the Court. The document should be captioned “Objections to Magistrate Judge’s  
5 Findings and Recommendations.” Plaintiff is advised that failure to file objections within the  
6 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d  
7 1153 (9th Cir. 1991).

8  
9 IT IS SO ORDERED.

10 **Dated:** February 5, 2010

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE