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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JORGE SALAZAR ROBLES,
Plaintiff,

v.

MANAGEMENT & TRAINING
CORPORATION, et al.,
Defendants.

1:09-cv-01279-AWI-GBC PC

FINDINGS AND RECOMMENDATIONS
RECOMMENDING DISMISSAL OF ACTION,
WITH PREJUDICE FOR FEDERAL CLAIMS,
FOR FAILURE TO STATE A CLAIM UPON
WHICH RELIEF MAY BE GRANTED

OBJECTIONS, IF ANY, DUE IN 20 DAYS

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I. Procedural History

Jorge Salazar Robles (“Plaintiff”), a federal prisoner proceeding pro se, commenced this civil rights action on May 29, 2009, at the Kern County Superior Court, case number S-1500-CV-267478-DRL. On July 22, 2009, Defendants Management & Training Corporation (“MTC”), Neil H. Adler, Lauri Watts, and Burnett Rucker (“Defendants”) removed this action to federal court. (Doc. 1.) On August 6, 2010, the Court ordered Plaintiff to file a change of address within forty-five days. On December 30, 2010, the undersigned dismissed Plaintiff’s complaint for failure to state a claim upon which relief may be granted and ordered Plaintiff to file an amended complaint within thirty days. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e). To date, Plaintiff has not complied with or otherwise responded to either of the Court’s orders. As a result, there is no pleading on file which sets forth any claims upon which relief may be granted under section 1983.

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

- 1. The federal claims in this action be dismissed, with prejudice, based on Plaintiff's failure to state any claims upon which relief may be granted under section 1983 and for failure to obey a court order; and
- 2. The state law claims be dismissed, without prejudice.

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within **twenty (20) days** after being served with these findings and recommendations, Plaintiff may file written objections with the Court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

IT IS SO ORDERED.

Dated: February 18, 2011



UNITED STATES MAGISTRATE JUDGE