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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD L. PROCTOR, JR.,

Plaintiff,

No. CIV S-08-3158 JAM GGH P

vs.

T. FELKER, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

_____ /

By order filed December 9, 2009, the court granted defendants’ motion to dismiss and granted plaintiff twenty-eight days to file an amended complaint. The twenty-eight day period has now expired, and plaintiff has not filed an amended complaint or otherwise responded to the court’s order.

For the reasons given in the December 9, 2009, order, IT IS HEREBY RECOMMENDED that this action be dismissed with prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

These findings and recommendations are 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 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

1 Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections
2 within the specified time may waive the right to appeal the District Court's order.

3 DATED: March 3, 2010

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/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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