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

ALBERT YOUNG,

Plaintiff,

No. 2:09-cv-3599 GEB KJN P

vs.

JAMES A. TILTON, et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

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By order filed February 22, 2011, plaintiff’s complaint was dismissed, and plaintiff was granted thirty days within which to file an amended pleading. Plaintiff was informed that “[f]ailure to respond to this order will result in a recommendation that this action be dismissed.” (Dkt. No. 11.) On March 22, 2011, the court granted plaintiff’s request for an additional ninety days in which to file an amended complaint. (Dkt. No. 15.) Plaintiff was reminded of the June 20, 2011 deadline by order of this court filed June 8, 2011. (Dkt. No. 17.) This extended deadline has now expired, and plaintiff has not filed an amended pleading or otherwise responded to the court’s order.

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1                   Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed  
2 without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

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

10 DATED: August 22, 2011

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14                   KENDALL J. NEWMAN  
15                   UNITED STATES MAGISTRATE JUDGE

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