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

JERALD RANDALL,

Plaintiff,

No. 2:10-cv-0052 JAM JFM (PC)

vs.

T. KIMURA, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

_____/

By an order filed April 1, 2011, this court ordered plaintiff to complete and return to the court, within sixty days, the USM-285 form necessary to effect service on defendant T. Kimura. By order filed June 10, 2011, that sixty day period was extended for an additional period of thirty days. The extended period has now passed and plaintiff has not returned the required documents nor responded further to the court’s order.

IT IS HEREBY RECOMMENDED that defendant Kimura be dismissed from this action without prejudice. See Fed. R. Civ. P. 41(b).

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Findings

1 and Recommendations.” Any response to the objections shall be filed and served within
2 fourteen days after service of the objections. Plaintiff is advised that failure to file objections
3 within the specified time may waive the right to appeal the District Court’s order. Martinez v.
4 Ylst, 951 F.2d 1153 (9th Cir. 1991).

5 DATED: September 30, 2011.

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8 UNITED STATES MAGISTRATE JUDGE

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