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

ANDREW L. GAINES,

Plaintiff,

No. CIV S-10-0313 GGH P

vs.

MATTHEW CATE, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

_____ /

By order filed March 18, 2010, the court granted plaintiff twenty-eight days to file an amended complaint. In the March 18th order, the court informed plaintiff of the deficiencies in his 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 March 18, 2010, order, IT IS HEREBY RECOMMENDED that this action be dismissed with prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b). The Clerk is directed to assign a district judge to this case.

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 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 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: June 3, 2010

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/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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