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

DERRICK RICHARDS WHITE, et al.,

Plaintiffs,

No. CIV S-10-3303 KJM DAD PS

vs.

JACK LEMENDOLA,

Defendant.

FINDINGS AND RECOMMENDATIONS

_____ /

By order signed June 6, 2011, plaintiffs’ pro se complaint was dismissed with leave to file an amended complaint that cures the defects noted in that order. Plaintiffs were granted forty-five days from the date of the order to file an amended complaint and were cautioned that failure to respond to the court’s order in a timely manner may result in a recommendation that this action be dismissed. The forty-five-day period has expired, and plaintiffs have not responded to the court’s order in any manner.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; 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 twenty-one days after being served with these findings and recommendations, plaintiffs may file

1 written objections with the court. A document containing objections should be titled "Objections
2 to Magistrate Judge's Findings and Recommendations." Plaintiffs are advised that failure to file
3 objections within the specified time may waive the right to appeal the District Court's order. See
4 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

5 DATED: July 29, 2011.

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9 DALE A. DROZD
10 UNITED STATES MAGISTRATE JUDGE

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