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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMMY R. QUAIR, SR.,
Plaintiff,
v.
GERTZ, et al.,
Defendants.

No. 2:11-cv-2293 JAM CKD P

ORDER and FINDINGS &
RECOMMENDATIONS

Since the June 2015 settlement conference in this pro se prisoner action, plaintiff has been granted multiple extensions of time to file an amended complaint. (ECF Nos. 94, 97, 99, 102 & 106.) Three times, plaintiff has been warned that “[n]o further extensions of time will be granted.” (ECF Nos. 99, 102 & 106.) To date, plaintiff has not filed an amended complaint; rather, he seeks another extension of time. (ECF No. 108.)

In light of the above, plaintiff has not shown good cause for another extension of time. Thus his motion will be denied, and the undersigned will recommend dismissal of this action.

Accordingly, IT IS HEREBY ORDERED that plaintiff’s motion for extension of time (ECF No. 108) is denied.


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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 are 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 Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: January 6, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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