

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE GONZALEZ, JR.,
Plaintiff,
v.
CATE, et. al.,
Defendants.

No. 2:11-cv-3196-GEB-EFB P

FINDINGS AND RECOMMENDATIONS

On September 7, 2016, the court dismissed plaintiff’s third amended complaint and granted plaintiff thirty days to file an amended complaint. ECF No. 85. Despite an extension of time, plaintiff has not filed an amended complaint or otherwise responded to the court’s order.


Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed. *See* Fed. R. Civ. P. 41(b); E.D. Cal., Local Rules 110 & 183(a).

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, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the objections shall be served and filed within fourteen days after service of the objections. The

////

1 parties are advised that failure to file objections within the specified time may waive the right to
2 appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
3 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

4 DATED: November 17, 2016.

5 
6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28