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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEROME CLAY, JR.,
Plaintiff,
v.
PACIFIC BELL TELEPHONE
COMPANY, INC., et al.,
Defendants.

No. 2:13-cv-1028 GEB CKD PS

FINDINGS AND RECOMMENDATIONS

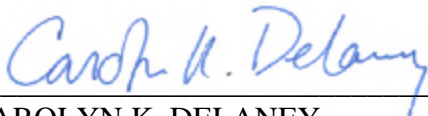
By mandate of the United States Court of Appeals for the Ninth Circuit, filed February 19, 2016, this matter was reversed and remanded. ECF Nos. 45, 46. Pursuant to the mandate, by order filed February 24, 2016, plaintiff was directed to file, no later than March 22, 2016, an amended complaint alleging only a Title VII claim against defendant Pacific Bell and only FEHA and § 17200 claims against defendants Union and Pacific Bell. Plaintiff was also cautioned that failure to file an amended complaint would result in a recommendation that this action be dismissed.

The time for filing an amended complaint has now expired, and 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 without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

1 These findings and recommendations are submitted to the United States District Judge
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
3 after being served with these findings and recommendations, any party may file written
4 objections with the court and serve a copy on all parties. Such a document should be captioned
5 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections
6 within the specified time may waive the right to appeal the District Court’s order. Martinez v.
7 Ylst, 951 F.2d 1153 (9th Cir. 1991).

8 Dated: March 30, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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