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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LISA ANN DAY,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

No. 2:15-cv-02583-AC

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is proceeding in this matter pro se and in forma pauperis. On January 8, 2016, the court dismissed plaintiff’s complaint with leave to amend within 30 days. ECF No. 3. The order cautioned plaintiff that failure to file an amended complaint would result in a recommendation that this action be dismissed. Id. at 4 ¶ 3. Plaintiff has not filed an amended complaint, nor taken any other action to prosecute this case.

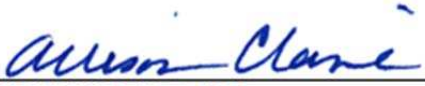
Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court randomly assign a district judge to this matter.

Further, IT IS HEREBY RECOMMENDED that pursuant to Fed. R. Civ. P. 41(b) and E.D. Cal. R. 110, this action be dismissed, without prejudice, for lack of prosecution and for failure to comply with the court’s order.

These findings and recommendations are submitted to the United States District Judge

1 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one (21)
2 days after being served with these findings and recommendations, plaintiff may file written
3 objections with the court. Such document should be captioned “Objections to Magistrate Judge’s
4 Findings and Recommendations.” Local Rule 304(d). Plaintiff is advised that failure to file
5 objections within the specified time may waive the right to appeal the District Court’s order.
6 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

7 DATED: April 11, 2016

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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