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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY FRANCIS DURDEN, SR.,

Plaintiff,

v.

DIEANN FEINSTEIN,

Defendant.

No. 2:16-cv-0031 TLN GGH PS

FINDINGS AND RECOMMENDATIONS

By order filed February 8, 2016, plaintiff’s complaint was dismissed and twenty-eight days leave to file an amended complaint was granted. In that order, the court informed plaintiff of the deficiencies in his complaint. The twenty-eight day period has now expired, and plaintiff has not filed an amended complaint. Plaintiff has instead filed a mostly unintelligible and rambling document indicating that he will not be filing an amended complaint. (ECF No. 4 at 3, 5.)

Plaintiff has apparently decided to rest on the dismissed complaint. For the reasons given in the February 8, 2016, order, IT IS HEREBY RECOMMENDED that this action be dismissed with 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

1 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings
2 and Recommendations.” Plaintiff is advised that failure to file objections within the
3 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951
4 F.2d 1153 (9th Cir. 1991).

5 Dated: March 9, 2016

6 /s/ Gregory G. Hollows

7 United States Magistrate Judge
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