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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL DAVIS,
Plaintiff,
v.
SOLTAINIAN, et al.,
Defendants.

No. 2:16-cv-2079 CKD P

ORDER AND
FINDINGS AND RECOMMENDATIONS

On October 19, 2016, plaintiff's complaint was dismissed for failure to state a claim, and he was granted thirty days to file an amended complaint. (ECF No. 6.) Plaintiff was advised that failure to file an amended complaint would result in dismissal of this action. (Id.) The thirty days has passed, and plaintiff has not filed an amended complaint.

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

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

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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 specified
3 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153
4 (9th Cir. 1991).

5 Dated: December 1, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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