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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK A. VAUGHN,
Petitioner,
v.
ON HABEAS CORPUS,
Respondent.

No. 2:16-cv-2384 CKD P

ORDER AND
FINDINGS AND RECOMMENDATIONS

By order filed October 21, 2016, the petition in this action was dismissed, and petitioner was granted thirty days to file an amended petition. Petitioner was advised that failure to timely amend would result in a recommendation of dismissal. The thirty day period has now expired, and petitioner has not responded to the court’s order.

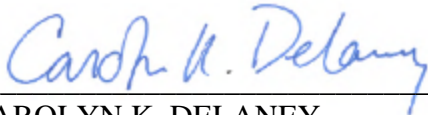
Accordingly, IT IS HEREBY ORDERED that the Clerk of Court is directed to assign a district judge to this action.

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, petitioner may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s

1 Findings and Recommendations.” Petitioner is advised that failure to file objections within the
2 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951
3 F.2d 1153 (9th Cir. 1991).

4 Dated: December 6, 2016



5 CAROLYN K. DELANEY
6 UNITED STATES MAGISTRATE JUDGE

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