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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL EVAN BAKER,

CASE NO. 1:11-cv-00129-AWI-SMS

Plaintiff,

v.

FINDINGS AND RECOMMENDATIONS
RECOMMENDING DISMISSAL OF CASE
FOR FAILURE TO PROSECUTE

CITY OF MODESTO, et al.,

Defendants.

(Doc. 5)

On February 11, 2011, this Court granted Plaintiff’s motion to proceed *in forma pauperis* and authorized service of the complaint upon the defendants. The order provided that if Plaintiff failed to complete necessary documentation for service and return it to the Court within thirty days, the action would be dismissed for failure to prosecute. Plaintiff has failed to complete and return the necessary documentation. Accordingly, the undersigned recommends that this action be dismissed without prejudice as a result of Plaintiff’s failure to prosecute the case.

These Findings and Recommendations will be submitted to the Hon. Anthony W. Ishii, the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). On or before May 4, 2011, Plaintiff may file written objections with the Court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that, by failing to file objections within the specified

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1 time, he may waive the right to appeal the District Court's order. *Martinez v. Ylst*, 951 F.2d 1153
2 (9th Cir. 1991).

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IT IS SO ORDERED.

Dated: April 20, 2011

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE