



1 successors or representatives C. Grenot and D. Rodriguez numerous times, but were not  
2 successful. Walker Decl. ¶¶ 4-5.

3 Plaintiff death was suggested upon the record more than ninety days ago, with proper  
4 service, and no motion for substitution has been made. Fed. R. Civ. P. 25(a)(1).<sup>2</sup>

5 Accordingly, the Court RECOMMENDS that this action be DISMISSED pursuant to  
6 Federal Rule of Civil Procedure 25(a)(1). These Findings and Recommendations are submitted to  
7 the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C.  
8 § 636(b)(1). Within thirty (30) days after being served with these Findings and  
9 Recommendations, any party may file written objections with the Court and serve a copy on all  
10 parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and  
11 Recommendations.” Any reply to the objections shall be served and filed within ten (10) days  
12 after service of the objections. The parties are advised that failure to file objections within the  
13 specified time may waive the right to appeal the District Court’s order. *Martinez v. Ylst*, 951 F.2d  
14 1153 (9th Cir.1991).

15 The Clerk of Court is ORDERED to serve these Findings and Recommendations on C.  
16 Grenot, at the address specific in Document 67.

17  
18 IT IS SO ORDERED.

19 Dated: August 17, 2016

/s/ Dennis L. Beck  
20 UNITED STATES MAGISTRATE JUDGE

21  
22  
23  
24  
25  
26  
27 <sup>2</sup> The Court issued Findings and Recommendations on March 7, 2016, recommending that Defendants’ motion for  
28 summary judgment based on exhaustion be granted in part. Given the notice of Plaintiff’s death, the Findings and  
Recommendations have not been adopted.