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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DALE L. COTTRELL,)	Case No.: 1:13-cv-01530-LJO-SAB (PC)
Plaintiff,)	
v.)	FINDINGS AND RECOMMENDATION RECOMMENDING DISMISSAL OF ACTION FOR FAILURE TO STATE A COGNIZABLE CLAIM FOR RELIEF
FELIX IGBINOSA, et al.,)	
Defendants.)	[ECF nos. 10, 14]
)	
)	

Plaintiff Dale L. Cottrell is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On March 25, 2014, Plaintiff’s complaint was dismissed with leave to amend for failure to state a cognizable claim for relief. After requesting and receiving two extensions of time, Plaintiff has failed to file an amended complaint in compliance with the Court’s March 25, 2014, order. As a result, there is no pleading on file which sets forth a cognizable claim for relief.

Accordingly, pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e), the undersigned **HEREBY RECOMMENDS** that the instant action be dismissed, with prejudice, based on Plaintiff’s failure to state a cognizable claim for relief under section 1983.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within **fifteen (15) days** after being served with these Findings and Recommendations, Plaintiff may file written

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

IT IS SO ORDERED.

Dated: June 27, 2014


UNITED STATES MAGISTRATE JUDGE