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

STACY L. BOWEN,

Plaintiff,

v.

POST MASTER GENERAL, et al.,

Defendants.

Case No. 1:14-cv-00059-AWI-SKO

**FINDINGS AND RECOMMENDATIONS  
THAT PLAINTIFF'S COMPLAINT BE  
DISMISSED WITH PREJUDICE**

**OBJECTIONS DUE: 28 DAYS**

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**I. INTRODUCTION**

On January 15, 2014, Plaintiff Stacy L. Bowen ("Bowen") filed a complaint under the Americans with Disabilities Act ("ADA") against the Post Master General, the U.S. Postal Service Post Master, Eva Foster, Lance Lopper, and Mel Gonzalez (collectively, "Defendants"). Plaintiff also filed a motion to proceed *in forma pauperis*, which was granted.

On March 26, 2014, the undersigned dismissed Plaintiff's complaint for failure to state a claim upon which relief may be granted and ordered Plaintiff to file an amended complaint within thirty days. 28 U.S.C. § 1915(e). To date, Plaintiff has not complied with or otherwise responded to the Court's order. As a result, there is no pleading on file which sets forth any claims upon

1 which relief may be granted.

2 Accordingly, pursuant to 28 U.S.C. § 1915(e), the undersigned HEREBY  
3 RECOMMENDS that this action be dismissed, with prejudice, based on Plaintiff's failure to state  
4 any claims upon which relief may be granted.

5 These Findings and Recommendations will be submitted to the United States District  
6 Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. ' 636(b)(1). Within  
7 twenty-eight (28) days after being served with these Findings and Recommendations, Plaintiff  
8 may file written objections with the Court. The document should be captioned "Objections to  
9 Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file  
10 objections within the specified time may waive the right to appeal the District Court's order.  
11 *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

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IT IS SO ORDERED.

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Dated: May 21, 2014

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/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

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