UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DELPHIA RAY, Plaintiff, v. COMMISSIONER OF SOCIAL SECURITY, Defendant.	CASE NO. 1:14-CV-655-LJO-SMS FINDINGS AND RECOMMENDATIONS RECOMMENDING DISMISSAL FOR FAILURE TO PROSECUTE

Plaintiff Delphia Ray, proceeding *in pro se* and *in forma pauperis*, filed her social security complaint on May 2, 2014. Doc. 1. On May 22, 2014, this Court screened the complaint and dismissed it for failure to state a claim with leave to amend. Doc. 5. Service was effectuated the same day. Plaintiff was given thirty days to file an amended complaint curing the deficiencies, and was advised that failure to file an amended complaint within thirty days would result in dismissal with prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for failure to state a claim. As of July 1, 2015, Plaintiff has not filed an amended complaint.

Hence, it is hereby RECOMMENDED that the action is DISMISSED with prejudice, and the case closed.

These findings and recommendations are submitted to the United States District Court Judge assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Rule 72-304 of the Local Rules of Practice for the United States District Court, Eastern District of California. Within thirty (30) days after being served with a copy, Petitioner may file written objections with the Court, serving a copy on all parties. Such a document should be captioned

"Objections to Magistrate Judge's Findings and Recommendations." The Court will then review the Magistrate Judge's ruling pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are 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: **July 7, 2015**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE