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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 JUAN L. AGUILA,) Case No.: 1:14-cv-01523-AWI-SAB (PC)
12 Plaintiff,)
13 v.) FINDINGS AND RECOMMENDATION
14 WOODWARD, et al.,) RECOMMENDING DISMISSAL OF ACTION
15 Defendants.) FOR FAILURE TO STATE A COGNIZABLE
16) CLAIM UPON WHICH RELIEF MAY BE
) GRANTED
) [ECF No. 5]
)

17 Plaintiff Juan L. Aguila is appearing pro se and in forma pauperis in this civil rights action
18 pursuant to 42 U.S.C. § 1983.

19 On December 22, 2014, the Court dismissed Plaintiff's complaint and ordered Plaintiff to
20 either file an amended complaint or notify the Court of his willingness to proceed only on the claim
21 found to be cognizable, within thirty days. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e). Plaintiff was
22 warned that if he failed to comply, this action would be dismissed, without prejudice, for failure to
23 obey a court order. On January 5, 2015, Plaintiff filed a notice of change of address, and the Findings
24 and Recommendations was re-served on Plaintiff on February 3, 2015. (ECF No. 6.) More than thirty
25 days have passed, and Plaintiff has not complied with or otherwise responded to the order. As a result,
26 there is no pleading on file which sets forth any claims upon which relief may be granted.

27 Accordingly, IT IS HEREBY RECOMMENDED that this action be DISMISSED, with
28 prejudice, for failure to state a cognizable claim upon which may be granted.

1 This Findings and Recommendation will be submitted to the United States District Judge
2 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within **thirty (30) days**
3 after being served with this Findings and Recommendation, Plaintiff may file written objections with
4 the Court. The document should be captioned "Objections to Magistrate Judge's Findings and
5 Recommendation." Plaintiff is advised that failure to file objections within the specified time may
6 result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
7 (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).
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9 IT IS SO ORDERED.

10 Dated: March 19, 2015


UNITED STATES MAGISTRATE JUDGE