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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	WILLIAM KING,) Case No.: 1:4-cv-02041-AWI-SAB (PC)
12	Plaintiff,)) \ FINDINGS AND RECOMMENDATION
13	v.) RECOMMENDING DISMISSAL OF ACTION) FOR FAILURE TO STATE A COGNIZABLE
14	ANDREY KING, et al.,) CLAIM FOR RELIEF
15	Defendants.) [ECF No. 9]
16		, _)
17	Plaintiff William King is appearing pro se and in forma pauperis in this civil rights action	
18	pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions	
19	Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison	
20	Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).	
21	On February 27, 2015, the Court dismissed Plaintiff's complaint for failure to state a claim	
22	under section 1983 and ordered Plaintiff to file an amended complaint within thirty days. 28 U.S.C. §	
23	1915A; 28 U.S.C. § 1915(e). More than thirty days have passed and Plaintiff has not complied with or	
24	otherwise responded to the Court's order. As a result, there is no pleading on file which sets forth any	
25	claims upon which relief may be granted.	
26	Accordingly, it is HEREBY RECOMMENDED that this action be DISMISSED, with	
27	prejudice, based on Plaintiff's failure to state	a claim upon which relief may be granted under section
28	1983.	

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)(l). 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. <u>Wilkerson v. Wheeler</u> , 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: April 16, 2015		
11	UNITED STATES MAGISTRATE JUDGE		
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