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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEAVON PIERCE,

Plaintiff,

v.

PRESIDENT BARACK OBAMA, et al.,

Defendants.

Case No. 1:15-cv-00650 LJO DLB PC

FINDINGS AND RECOMMENDATIONS
RECOMMENDING DISMISSAL OF
ACTION FOR FAILURE TO STATE A
CLAIM

FOURTEEN-DAY OBJECTION DEADLINE

Plaintiff Seavon Pierce (“Plaintiff”) is a California state prisoner proceeding pro se and in forma pauperis in this civil action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on November 12, 2014, in the Sacramento Division of the United States District Court for the Eastern District of California. The matter was designated as a civil rights action. Plaintiff filed a First Amended Complaint on December 9, 2014. He filed a Second Amended Complaint on December 15, 2014. On April 28, 2015, the case was transferred to the Fresno Division. In his Second Amended Complaint, Plaintiff named as Defendants: President Barack Obama, the U.S. Government, California Department of Corrections, California Inspector General, California Internal Affairs, and California Director of Corrections.

On October 5, 2015, the Court screened the Second Amended Complaint and determined it failed to state a claim. The Second Amended Complaint was dismissed with leave to file a Third Amended Complaint. Plaintiff was granted thirty days to file the Third Amended Complaint.

1 Over thirty (30) days have passed and Plaintiff has not filed an amended complaint. Plaintiff was
2 forewarned that failure to file an amended complaint would result in the action being dismissed
3 with prejudice for failure to state a claim.

4 Accordingly, IT IS HEREBY RECOMMENDED that the case be DISMISSED WITH
5 PREJUDICE for failure to state a claim.

6 These Findings and Recommendations will be submitted to the United States District
7 Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within
8 **fourteen (14) days** after being served with these Findings and Recommendations, Plaintiff may
9 file written objections with the Court. The document should be captioned “Objections to
10 Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file
11 objections within the specified time may waive the right to appeal the District Court’s order.
12 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

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14 IT IS SO ORDERED.

15 Dated: November 13, 2015

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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