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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 KENNY CALIHAN,

12 Plaintiff,

13 vs.

14 D. CROUNSE, et al.,

15 Defendants.
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1:17-cv-00139-DAD-GSA-PC

**FINDINGS AND RECOMMENDATIONS,
RECOMMENDING THAT THIS CASE BE
DISMISSED. WITH PREJUDICE, FOR
FAILURE TO STATE A CLAIM
(ECF No. 11.)**

**OBJECTIONS, IF ANY, DUE IN
FOURTEEN (14) DAYS**

18 Kenny Calihan (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis
19 with this civil rights action pursuant to 42 U.S.C. § 1983. On February 1, 2017, Plaintiff filed
20 the Complaint commencing this action. (ECF No. 1.)

21 On September 25, 2017, the court issued an order dismissing Plaintiff’s Complaint for
22 violation of Rule 8 and failure to state a claim, with leave to file an amended complaint within
23 thirty days. (ECF No. 8.) The thirty-day deadline has now expired and Plaintiff has not filed
24 an amended complaint or otherwise responded to the court’s order.¹ As a result, there is no
25 pleading on file which sets forth any claims upon which relief may be granted.
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27 ¹ The United States Postal Service returned the order on October 2, 2017, as undeliverable. A notation on the
28 envelope indicates that Plaintiff was paroled on August 18, 2017. However, Plaintiff has not notified the court of
any change in his address. Absent such notice, service at a party’s prior address is fully effective. Local Rule
182(f).

