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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KEITH-REAGAN CARTER,

Plaintiff,

v.

CALIFORNIA CORRECTIONAL
INSTITUTION, et al.,

Defendants.

Case No. 1:19-cv-0358-JLT (PC)

**ORDER TO ASSIGN A DISTRICT JUDGE;
AND
FINDINGS AND RECOMMENDATIONS TO
DISMISS FOR FAILURE TO COMPLY WITH
COURT ORDER AND FAILURE TO
PROSECUTE
FOURTEEN-DAY DEADLINE**

Plaintiff's first amended complaint was screened on August 7, 2020 and found to be devoid of a cognizable claim. (Doc. 16.) He was then ordered to file a notice within thirty days indicating whether he wished to stand on his pleading, to file an amended pleading, or to dismiss this action entirely. Plaintiff was thereafter granted an extension of time to respond. (Doc. 18.) The deadline for filing a response has now passed, and plaintiff has not filed a notice, an amended complaint, or a second motion for extension of time to respond. Accordingly, the Court **ORDERS** the Clerk of Court to assign a district judge to this case; and

The Court **RECOMMENDS** that this action be dismissed for failure to prosecute and failure to comply with a court order.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within fourteen days

1 after being served with these Findings and Recommendations, the parties may file written
2 objections with the Court. The document should be captioned “Objections to Magistrate Judge’s
3 Findings and Recommendations.” The parties are advised that failure to file objections within the
4 specified time may result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834,
5 839 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

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7 IT IS SO ORDERED.

8 Dated: October 15, 2020

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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