

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARY GOODE,

Plaintiff,

No. CIV S-08-0302 MCE EFB PS

vs.

ST. JUDE MEDICAL, TWEED
HANUSEK, BILL HILTON, ST. JUDE
MEDICAL CARDIAC, RUTH GAGARIN,
IRMA ESTRADA, BRIDGET FELLOWS,
NICOLE ARANA, NES KUSNIERZ,
KATHY CHESTER, ST JUDE MEDICAL
CARDIAC RHYTHM MANAGEMENT
and DOES 1-20,

FINDINGS AND RECOMMENDATIONS

Defendants.

_____ /
This action, in which plaintiff is proceeding *in propria persona*, was referred to the undersigned under Local Rule 302(c)(21), pursuant to 28 U.S.C. § 636(b)(1). On February 1, 2010, the district court adopted this court’s findings and recommendations and granted defendants’ motions to dismiss in part. That order dismissed plaintiff’s amended complaint with leave to amend within sixty days.

///

///

1 The sixty-day period has expired and plaintiff has not filed an amended complaint or
2 otherwise responded to the order.¹

3 Accordingly, it is hereby RECOMMENDED that this action be dismissed without
4 prejudice, and that the Clerk be directed to close this case. *See* Fed. R. Civ. P. 41(b); Local Rule
5 110.

6 These findings and recommendations are submitted to the United States District Judge
7 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
8 after being served with these findings and recommendations, plaintiff may file written
9 objections with the court. Such a document should be captioned “Objections to Magistrate
10 Judge’s Findings and Recommendations.” Failure to file objections within the specified time
11 may waive the right to appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455
12 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

13 DATED: April 19, 2010.

14 
15 EDMUND F. BRENNAN
16 UNITED STATES MAGISTRATE JUDGE

17
18
19
20
21
22
23
24
25 ¹ Although it appears from the file that plaintiff’s copy of the order was returned,
26 plaintiff was properly served. It is the plaintiff’s responsibility to keep the court apprised of his
current address at all times. Pursuant to Local Rule 182(f), service of documents at the record
address of the party is fully effective.