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

BILLY DRIVER,

Plaintiff,

No. CIV S-08-1910 GEB EFB P

vs.

MARTEL, et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

_____ /

Plaintiff is a prisoner without counsel suing for alleged civil rights violations. *See* 42 U.S.C. § 1983. On February 25, 2009, the court dismissed plaintiff’s complaint for failure to state a cognizable claim against any defendant. The dismissal order explained the complaint’s deficiencies, gave plaintiff 30 days to file an amended complaint correcting those deficiencies, and warned plaintiff that failure to file an amended complaint would result in a recommendation that this action be dismissed for failure to state a claim. On April 22, 2009, the court granted plaintiff an additional 30 days in which to file his amended complaint.

The 30-day period has expired and plaintiff has not filed an amended complaint or otherwise responded to the court’s order.

Accordingly, it is hereby RECOMMENDED that this action be dismissed for failure to state a claim. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(g).

