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

ERIC G. WILLIAMS,

Plaintiff,

No. CIV S-08-2348 LKK EFB P

vs.

DEPARTMENT OF MOTOR  
VEHICLES, Director, et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

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Plaintiff is a prisoner, without counsel, suing for alleged civil rights violations. *See* 42 U.S.C. § 1983. On October 7, 2009, the court found that plaintiff’s complaint was so prolix and obscure that it violated the pleading requirements of Federal Rule of Civil Procedure 8 and that the court could not discharge its responsibility under 28 U.S.C. § 1915A to screen the complaint. Accordingly, the court dismissed plaintiff’s complaint with leave to amend within sixty days.

On December 17, 2009, plaintiff requested an extension of time. On December 22, 2009, the court granted plaintiff an additional sixty days in which to file his amended complaint. On April 12, 2010, when plaintiff had still failed to file an amended complaint or otherwise respond to the court’s order, the undersigned recommended that this action be dismissed. In response, plaintiff filed objections on May 4, 2010, requesting an additional extension of time to file his

1 amended complaint. In an abundance of caution, on June 16, 2010, the undersigned vacated the  
2 April 12, 2010, findings and recommendations and gave plaintiff an additional twenty days to  
3 file his amended complaint. Plaintiff was admonished that the court did not intend to grant any  
4 additional requests for extensions of time and that a failure to comply would once again result in  
5 a recommendation that this action be dismissed.

6 The 20-day period granted on June 16, 2010 has expired and plaintiff has not filed an  
7 amended complaint or otherwise responded to the court's order.

8 Accordingly, it is hereby RECOMMENDED that this action be dismissed. *See* Fed. R.  
9 Civ. P. 41(b); Local Rule 110.

10 These findings and recommendations are submitted to the United States District Judge  
11 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
12 after being served with these findings and recommendations, any party may file written  
13 objections with the court and serve a copy on all parties.<sup>+</sup> Such a document should be captioned  
14 "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections  
15 within the specified time may waive the right to appeal the District Court's order. *Turner v.*  
16 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

17 Dated: August 11, 2010.

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19 EDMUND F. BRENNAN  
20 UNITED STATES MAGISTRATE JUDGE  
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25 <sup>1</sup> As plaintiff has had over ten months to simply amend his complaint, the undersigned  
26 will not entertain any requests for extensions of time to file objections to these findings and  
recommendations. If plaintiff files objections that do not also include a proposed amended  
complaint, that in and of itself may be grounds for the district judge to overrule the objections.