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

ANTHONY GRAHAM,

Plaintiff,

No. CIV S-08-2533 GEB KJM P

vs.

M. JAFFE, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

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By order filed April 3, 2009, plaintiff’s complaint was dismissed and thirty days leave to file an amended complaint was granted. On May 7, 2009 and June 11, 2009, plaintiff was granted additional time in which to file his amended complaint. The time to file an amended complaint has now expired.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 11-110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the

1 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951  
2 F.2d 1153 (9th Cir. 1991).

3 DATED: July 24, 2009.

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5 U.S. MAGISTRATE JUDGE

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