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

THEODORE GABALES,

Plaintiff,

No. CIV S-09-0373 MCE GGH PS

vs.

STATE OF CALIFORNIA, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

_____ /

By order filed November 3, 2009, plaintiff’s complaint was dismissed and plaintiff was granted until November 20, 2009, to file an amended complaint. Plaintiff has not filed an amended complaint or otherwise responded to the court’s order.

IT IS HEREBY RECOMMENDED that this action be dismissed with prejudice.

See Local Rule 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 fourteen days after being served with these findings and recommendations, the parties may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s

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1 Findings and Recommendations.” Failure to file objections within the specified time may waive
2 the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 DATED: January 21, 2010

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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