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

ANDREW JAMES NUGENT,

Plaintiff,

No. CIV S-09-1154 MCE GGH PS

vs.

VACAVILLE CHRISTIAN
SCHOOL, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

_____/

By order filed June 1, 2009, plaintiff's complaint was dismissed and thirty days leave to file an amended complaint was granted. In that order, the court informed plaintiff of the deficiencies in his complaint. Plaintiff has been granted three extensions of time, but he has not filed an amended complaint or otherwise responded to the court's order.

Plaintiff has apparently decided to rest on the dismissed complaint. For the reasons given in the June 1, 2009, order, IT IS HEREBY RECOMMENDED that this action be dismissed with 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 ten days after being served with these findings and recommendations, plaintiff may file written objections

1 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings
2 and Recommendations.” Plaintiff is advised that failure to file objections within the
3 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951
4 F.2d 1153 (9th Cir. 1991).

5 DATED: December 18, 2009

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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