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

REX CHAPPELL,

Plaintiff,

No. 2:09-cv-1465 GEB KJN P

vs.

T. PEREZ, et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

_____ /

By order February 18, 2010, plaintiff’s complaint was dismissed and he was granted thirty days to file an amended complaint. The thirty day period has now expired, and plaintiff has not filed an amended complaint or otherwise responded to the court’s order.

IT IS HEREBY RECOMMENDED that this action be dismissed without 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 twenty-one days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the objections shall be filed and served within fourteen days after service of the objections. The

1 parties are advised that failure to file objections within the specified time may waive the right to
2 appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 DATED: April 22, 2010

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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