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

PEDRO JOAQUIN OLIVAS,

Plaintiff,

No. CIV S-09-2498 DAD P

vs.

D. DAVEY et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

\_\_\_\_\_/

By an order filed February 16, 2010, this court ordered plaintiff to complete and return to the court, within thirty days, the USM-285 forms and other documents necessary to effect service on defendants. That thirty day period has since passed, and plaintiff has not responded in any way to the court's order.

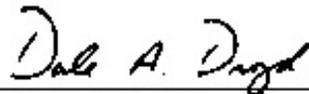
IT IS HEREBY ORDERED that the Clerk of the Court is directed to randomly assign a United States District Judge to this action.

IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Fed. R. Civ. P. 41(b).

These findings and recommendations will be 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, plaintiff may file

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

5 DATED: April 6, 2010.

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9 DALE A. DROZD  
10 UNITED STATES MAGISTRATE JUDGE

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10 oliv2498.fusm

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