IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD KUHNLE,

Plaintiff, No. CIV S-09-3376 LKK KJM PS

vs.

THE STATE OF CALIFORNIA,

Defendant. ORDER

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The matter was referred to a United States Magistrate Judge pursuant to Local Rule 72-302(c)(21).

On February 19, 2010, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Objections to the findings and recommendations have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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On December 16, 2009, plaintiff's initial complaint was dismissed, and plaintiff was granted thirty days to file an amended complaint. On February 19, 2010, sixty-five days later, no amended complaint had been filed, and the magistrate judge recommended dismissing plaintiff's complaint. These findings and recommendations granted plaintiff fourteen days to file objections. This period expired on March 5, 2010. On March 29, 2010, plaintiff filed objections, stating that "because of [his] disabilities, financial status, and [his] computer problems [he] could not amend [his] complaint as required." He therefore requests that the court "expand the time to 30-45 days." In light of the extensive period of time that has already elapsed the court declines to grant any further extension.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed February 19, 2010, are adopted in full; and

2. This action is dismissed without prejudice. See Local Rule 11-110; Fed. R. Civ. P. 41(b).

DATED: April 19, 2010.

LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT