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

JOSH BURTON and
WENDY SHER,

Plaintiffs,

No. CIV S-10-1698 JAM DAD PS

vs.

DEPARTMENT OF DEFENSE,
et al.,

Defendants,

FINDINGS AND RECOMMENDATIONS

_____ /

By order signed March 7, 2011, plaintiffs' pro se complaint was dismissed with leave to file an amended complaint that cures the defects noted in the order and complies with applicable rules. Plaintiffs were granted thirty days from the date of the order to file their amended complaint and were cautioned that failure to respond to the order in a timely manner may result in a recommendation that this action be dismissed. In addition, the order directed each plaintiff to file a legible motion to proceed in forma pauperis along with any amended complaint. The thirty-day period has now expired, and plaintiffs have not responded to the court's order in any manner.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

1 These findings and recommendations will be submitted to the United States
2 District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within
3 twenty-one days after being served with these findings and recommendations, plaintiffs may file
4 written objections with the court. A document containing objections should be titled “Objections
5 to Magistrate Judge’s Findings and Recommendations.” Plaintiffs are advised that failure to file
6 objections within the specified time may waive the right to appeal the District Court’s order. See
7 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

8 DATED: April 15, 2011.

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11 _____
12 DALE A. DROZD
13 UNITED STATES MAGISTRATE JUDGE

12 DAD:kw
13 Ddad1\orders.pro se\burton1698.fta