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

RICKEY B. DeLONEY,

Plaintiff,

No. CIV S-10-1849 GGH P

vs.

JOHN R. RODRIGUEZ,

Defendant.

FINDINGS & RECOMMENDATIONS

_____/

By order filed August 3, 2010, plaintiff was ordered to show cause, within fourteen days, why his action should not be dismissed pursuant to the Younger abstention doctrine. The fourteen day period has now expired, and plaintiff has not shown cause 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). The Clerk of Court is directed to assign a district judge to this case.

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 fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge's

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

4 DATED: September 15, 2010

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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