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

IQTADAR AHMED,

Plaintiff,

No. 2:10-cv-3069-GEB-EFB PS

vs.

SAN JOAQUIN REGIONAL
RAIL COMMISSION,

Defendant.

FINDINGS AND RECOMMENDATIONS

_____ /
This case, in which plaintiff is proceeding *in forma pauperis* and *in propria persona*, was referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1) and Eastern District of California Local Rule 302(c)(21). On June 27, 2012, the undersigned dismissed plaintiff’s second amended complaint, but provided plaintiff thirty days to file a third amended complaint. Dckt. No. 41. The order explained that “[f]ailure to timely file a third amended complaint in accordance with this order will result in a recommendation this action be dismissed.” *Id.* at 11.

The deadline has now passed and plaintiff has not filed a third amended complaint.¹

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¹ Instead, on July 25, 2012, plaintiff filed a notice with the court indicating that because he does not understand “what Title VII means” and was unable to obtain legal assistance, he “leave[s] the final decision upon the respected courts and honorable judge.” Dckt. No. 42.

1 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without
2 prejudice, and that the Clerk be directed to close this case. Fed. R. Civ. P. 41(b); L.R. 110.

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
5 after being served with these findings and recommendations, any party may file written
6 objections with the court and serve a copy on all parties. Such a document should be captioned
7 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections
8 within the specified time may waive the right to appeal the District Court’s order. *Turner v.*
9 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

10 Dated: August 27, 2012.

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12 EDMUND F. BRENNAN
13 UNITED STATES MAGISTRATE JUDGE
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