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

LAMONT A. HOUZE II,

Plaintiff,

No. 2:10-cv-3076 LKK KJN P

vs.

COUNTY OF SACRAMENTO, and
THE STATE OF CALIFORNIA,

Defendants

FINDINGS & RECOMMENDATIONS

_____/

By order filed February 15, 2011, plaintiff’s complaint was dismissed and thirty days leave to file an amended pleading was granted. Plaintiff was informed that “[f]ailure to respond to this order will result in a recommendation that this action be dismissed.” (Dkt. No. 8 at 3.) The thirty-day period has now expired, and plaintiff has not filed an amended pleading or otherwise responded to the court’s order.

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

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 twenty-one days after being served with these findings and recommendations, plaintiff may file written

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

5 DATED: April 15, 2011

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7 
8 KENDALL J. NEWMAN
9 UNITED STATES MAGISTRATE JUDGE

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