

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

ANNE SABETTA, et al.,

Plaintiffs,

No. CIV S-11-0554 JAM CKD PS

vs.

NATIONAL RAILROAD PASSENGER
CORPORATION, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

By order filed November 18, 2011, plaintiffs’ first amended complaint was dismissed and thirty days leave to file a second amended complaint was granted. Plaintiffs requested an extension of time and on January 5, 2012, plaintiffs were granted a thirty day extension of time to file a second amended complaint. The thirty day period has now expired, and plaintiff s have not filed a second amended complaint 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).

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

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: February 21, 2012

6 
7 _____
8 CAROLYN K. DELANEY
9 UNITED STATES MAGISTRATE JUDGE

9 ⁴
10 sabetta2.fta

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26