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

MICHAEL CORBETT,

Plaintiff,

No. 2:11-cv-1197 JAM JFM (PC)

vs.

R. MICHAEL HAWKINS, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

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By order filed December 12, 2012, defendant’s motion to dismiss was granted in part but plaintiff was given leave to amend. (See Dkt. No. 37.) Plaintiff was given thirty days to file an amended complaint. Plaintiff sought and received an extension of time to file his amended complaint until February 11, 2013. To date, plaintiff has failed to file an amended complaint pursuant 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 fourteen days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned

1 “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections  
2 shall be served and filed within fourteen days after service of the objections. The parties are  
3 advised that failure to file objections within the specified time may waive the right to appeal the  
4 District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

5 DATED: February 26, 2013.

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8 UNITED STATES MAGISTRATE JUDGE

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