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

MIKE JAYNE,

Plaintiff,

No. CIV S-11-1465 LKK GGH P

vs.

CITY OF ANDERSON, et al.

Defendants.

FINDINGS & RECOMMENDATIONS

_____ /

By orders filed August 24, 2011 and November 18, 2011, the court granted plaintiff twenty-eight days to file an amended complaint. Each order informed plaintiff of the deficiencies in his complaint.

The court’s November 13, 2011 order, sent to the plaintiff at Snake River Correctional Institution, his address of record, was returned as “Undeliverable: Paroled.” Subsequently, on December 5, 2011, plaintiff moved for an extension of time to comply with the November 13, 2011 order, advising the court that he was attempting to secure counsel. The return address provided by plaintiff on his December 5th motion was a post office box in Bella Vista, California.

By order dated December 20, 2011, the court granted plaintiff’s motion for an extension of time, and directed that plaintiff file his amended complaint within thirty days. The

1 court directed that the order granting plaintiff's motion for an extension be served on plaintiff at
2 his Snake River address of record, and at the Bella Vista address.

3 The thirty day extension period has now expired, and plaintiff has not filed an
4 amended complaint or otherwise responded to the court's order.

5 For the reasons given in the August 24, 2001 and November 18, 2011 orders, IT
6 IS HEREBY RECOMMENDED that this action be dismissed with prejudice. See Local Rule
7 110; Fed. R. Civ. P. 41(b).

8 These findings and recommendations are submitted to the United States District
9 Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within
10 fourteen (14) days after being served with these findings and recommendations, plaintiff may file
11 written objections with the court. The document should be captioned "Objections to Magistrate
12 Judge's Findings and Recommendations." Any response to the objections shall be filed and
13 served within fourteen days after service of the objections. Plaintiff is advised that failure to file
14 objections within the specified time may waive the right to appeal the District Court's order.

15 DATED: February 8, 2012

16 /s/ Gregory G. Hollows
17 UNITED STATES MAGISTRATE JUDGE

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