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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   BOB SAVAGE,   No. 2:11-cv-1652-MCE-EFB P

12   Plaintiff,

13   v.   FINDINGS AND RECOMMENDATIONS

14   K. DICKINSON, et al.,

15   Defendants.

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17   Plaintiff is a state prisoner proceeding without counsel in an action brought under 42

18   U.S.C. § 1983. On March 10, 2015, and May 14, 2015, defendants filed motions for summary

19   judgment and informed plaintiff of the requirements for opposing a motion for summary

20   judgment. *See* Fed. R. Civ. P. 56; *Rand v. Rowland*, 154 F.3d 952, 962-63 (9th Cir.

21   1998). Plaintiff's requests for lengthy extensions of time to file his opposition have been granted.

22   *See* ECF No. 55 (60 day extension of time to oppose March 10 motion for summary judgment)

23   and ECF No. 65 (90 day extension of time to oppose both motions for summary judgment).

24   That time for acting passed and plaintiff failed to file an opposition or a statement of non-

25   opposition to either motion, or otherwise responded to the court's order. Plaintiff has disobeyed

26   this court's orders and failed to prosecute this action. The appropriate action is dismissal without

27   prejudice.

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1   Accordingly, it is hereby RECOMMENDED that this action be dismissed. *See* Fed. R.

2 Civ. P. 41(b); E.D. Cal. Local Rule 110, 183(b).

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)(l). 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: September 14, 2015.

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12   EDMUND F. BRENNAN
               UNITED STATES MAGISTRATE JUDGE

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