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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMMY R. QUAIR, SR.,
Plaintiff,
v.
GERTZ, et al.,
Defendants.

No. 2:11-cv-2293 JAM CKD P

ORDER

By order filed August 14, 2015, plaintiff was granted a final extension of time to file an amended complaint pursuant to the June 4, 2015 order. (ECF No. 102.) The forty-five days in which plaintiff was granted leave to amend has now expired, and plaintiff has not filed an amended complaint or otherwise responded to the court’s order. Thus the undersigned will recommend dismissal of this action.

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, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified

1 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153
2 (9th Cir. 1991).

3 Dated: October 6, 2015



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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