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

ROBERT TUNSTALL,

Plaintiff,

No. CIV S-11-2587 GGH P

vs.

STATE OF CALIFORNIA, et. al.,

Defendants.

ORDER &

FINDINGS AND RECOMMENDATIONS

_____ /

By order filed October 21, 2011, plaintiff’s complaint was dismissed and twenty-eight days leave to file an amended complaint was granted. Twenty-eight days from that date have now expired, and plaintiff has not filed an amended complaint or otherwise responded to the court’s order.

IT IS HEREBY ORDERED that the Clerk shall assign a district judge to this case.

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 Title 28 U.S.C. § 636(b)(1). Within fourteen (14) 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

1 Judge's Findings and Recommendations." Any response to the objections shall be filed and
2 served within fourteen days after service of the objections. Plaintiff is advised that failure to file
3 objections within the specified time may waive the right to appeal the District Court's order.

4 DATED: December 13, 2011

5 /s/ Gregory G. Hollows
6 UNITED STATES MAGISTRATE JUDGE

7 GGH: AB
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