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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RUDY AROCHA,
Plaintiff,
v.
E. SAUCEDA, et al.,
Defendants.

No. 2:11-cv-2959 MCE KJN P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On December 13, 2013, the court granted plaintiff thirty days to submit the forms necessary for service of defendant Montanez. (ECF No. 90.) Thirty days passed and plaintiff did not return these forms.

Accordingly, IT IS HEREBY RECOMMENDED that defendant Montanez be dismissed.

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 and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.”

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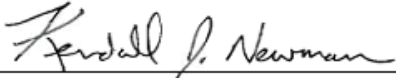
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Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: September 17, 2014

Ar2959.dis(m)


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE