

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICK BUMPUS,
Plaintiff,
v.
A. NANGALAMA, et al.,
Defendants.

No. 2:12-cv-01102 GEB DAD P

FINDINGS AND RECOMMENDATIONS

By orders filed on July 8, 2013 and August 20, 2013, this court ordered plaintiff to complete and return to the court, the Notice of Submission of Documents, a USM-285 form necessary to effect service on defendant Fields, two copies of the endorsed complaint, and a summons form if not previously provided. The time for submitting the required documents has since passed, and plaintiff has not complied with the court's August 20, 2013 order requiring that the documents be submitted on or before October 8, 2013.¹

Accordingly, IT IS HEREBY RECOMMENDED that defendant Fields be dismissed from this action.

////

¹ Defendants Nangalama, Dillan, Sahota, Cox, Teachow and Deem have been served and, on July 19, 2013, they filed a motion to dismiss the complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure on the grounds that it fails to state a claim upon which relief can be granted.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

These findings and recommendations will be 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 Findings and Recommendations.” 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: December 4, 2013



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:4
bum1102.fusm