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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEON E. MORRIS,
Plaintiff,
v.
DR. NANGALAMA, et al.,
Defendants.

No. 2:12-cv-1202 MCE KJN P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner, proceeding pro se and in forma pauperis, with an action filed pursuant to 42 U.S.C. § 1983. By order filed March 4, 2014, plaintiff was granted thirty days in which to file a second amended complaint. Plaintiff filed a second amended complaint on March 28, 2014. In his second amended complaint, plaintiff named Dr. Duc as a defendant. However, plaintiff included no charging allegations as to defendant Dr. Duc. (ECF No. 39, *passim*.) In his original complaint, plaintiff also included no charging allegations as to defendant Dr. Duc. (ECF No. 7 at 6.) In light of plaintiff's failure to provide charging allegations, defendant Duc should be dismissed from this action.

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

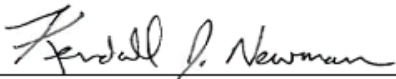
These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days

1 after being served with these findings and recommendations, any party may file written
2 objections with the court and serve a copy on all parties. Such a document should be captioned
3 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
4 objections shall be served and filed within fourteen days after service of the objections. The
5 parties are advised that failure to file objections within the specified time may waive the right to
6 appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

7 Dated: May 6, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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