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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN DUNIGAN,
Plaintiff,
v.
UNITED STATES, et al.,
Defendants.

No. 2:12-cv-3048 TLN CKD P

ORDER AND FINDINGS AND
RECOMMENDATIONS

By order filed June 3, 2013, plaintiff's complaint was dismissed and thirty days leave to file an amended complaint was granted. The thirty day period has now expired and plaintiff has not filed an amended complaint. Plaintiff did file his third request for a stay on July 15, 2013. That motion will be denied as plaintiff still fails to show good cause for a stay, and, in any case, there is nothing to stay since there is no complaint currently before the court.

Accordingly, IT IS HEREBY ORDERED that plaintiff's July 15, 2013 request that this matter be stayed (ECF No. 17) is denied; and

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

1 with the court. The document should be captioned "Objections to Magistrate Judge's Findings
2 and Recommendations." Plaintiff is advised that failure to file objections within the specified
3 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153
4 (9th Cir. 1991).

5 Dated: July 22, 2013



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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