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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSUE ORTIZ,

 Plaintiff,

 v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

 Defendants.

No. 2:13-cv-0617 WBS KJN P

FINDINGS & RECOMMENDATIONS

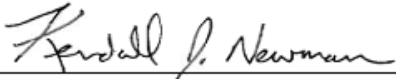
By order filed August 26, 2014, plaintiff’s amended complaint was dismissed and thirty days leave to file a second amended complaint was granted. On January 6, 2015, plaintiff was granted an additional thirty days in which to file a second amended complaint. Thirty days from that date have now expired, and plaintiff has not filed a second amended complaint or otherwise responded to the court’s order.

Accordingly, 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 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings

1 and Recommendations.” Plaintiff is advised that failure to file objections within the specified
2 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153
3 (9th Cir. 1991).

4 Dated: February 26, 2015

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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