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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEON E. MORRIS,  
Plaintiff,  
v.  
JENNINGS, et al.,  
Defendants.

No. 2:13-cv-1134 TLN AC (TEMP) P

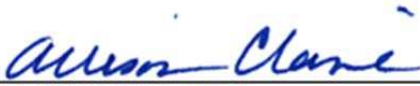
FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with this civil rights action brought pursuant to 42 U.S.C. § 1983. On January 21, 2016, defendants filed a motion to revoke plaintiff’s in forma pauperis status. On February 9, 2016, plaintiff filed a motion for a sixty-day (60) extension of time to oppose defendants’ motion, which this court granted. That sixty-day period expired, and plaintiff had not opposed or otherwise responded to the motion. On April 25, 2016, the court ordered plaintiff to show cause in writing within fourteen days why this court should not grant the pending motion for summary judgment. The court cautioned plaintiff that his failure to file an opposition would result in a recommendation that this action be dismissed. That fourteen-day period has now expired, and plaintiff has not opposed defendants’ motion for summary judgment or responded to the court’s order.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

1           These findings and recommendations are submitted to the United States District Judge  
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
3 after being served with these findings and recommendations, any party may file written  
4 objections with the court and serve a copy on all parties. Such a document should be captioned  
5 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the  
6 objections shall be filed and served within seven days after service of the objections. The parties  
7 are advised that failure to file objections within the specified time may waive the right to appeal  
8 the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

9 DATED: May 17, 2016

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12 ALLISON CLAIRE  
13 UNITED STATES MAGISTRATE JUDGE  
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