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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIEN EDWARD SMITH,
Plaintiff,
v.
LOWE'S HIW, INC.,
Defendant.

No. 2:13-cv-1713 WBS AC

ORDER

Defendant removed this matter from Amador County Superior Court on August 20, 2013. ECF No. 1. Because plaintiff is proceeding pro se the matter was referred to a United States Magistrate Judge pursuant to Local Rule 72-302(c)(21).

On December 24, 2014, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 45.) Neither party has filed objections to the findings and recommendations.

Because it appears that plaintiff is no longer interesting in prosecuting this case, this action is hereby dismissed without prejudice for lack of prosecution.

Dated: January 27, 2015

smit1713.801



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE