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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	RODNEY D. KELLEY,	No. 2:13-cv-2045 MCE AC P
12	Plaintiff,	
13	v.	FINDINGS AND RECOMMENDATIONS
14	DR. BANAI, et al.,	
15	Defendants.	
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17	On June 18, 2014, defendants moved for summary judgment. ECF No. 22. Plaintiff did	
18	not file a response. On August 4, 2014, the court ordered plaintiff to file his opposition within	
19	thirty (30) days. ECF No. 24. The thirty-day period has expired, and plaintiff still has not filed	
20	any response.	
21	Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed, without	
22	prejudice, for lack of prosecution. See Local Rule 110; Fed. R. Civ. P. 41(b).	
23	These findings and recommendations are submitted to the United States District Judge	
24	assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within twenty-one (21)	
25	days after being served with these findings and recommendations, plaintiff may file written	
26	objections with the court and serve a copy on all parties. Such a document should be captioned	
27	"Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that	
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1	failure to file objections within the specified time may waive the right to appeal the District	
2	Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).	
3	DATED: December 22, 2014	
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5	ALLISON CLAIRE UNITED STATES MAGISTRATE JUDGE	
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