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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

H. DYMITRI HARASZEWSKI,
Plaintiff,
v.
KNIPP, et al.,
Defendants.

No. 2:13-cv-2494 JAM DB P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. § 1983. In an order filed August 12, 2020, this court gave plaintiff thirty days to provide an address for service on defendant Garcia or show cause why defendant Garcia should not be dismissed from this action. (ECF No. 133.) This court noted that it had enlisted the aid of defendants' counsel in locating Garcia and, after counsel was unable to find an address for Garcia, gave plaintiff a substantial period of time to do so. In addition, plaintiff has been granted additional time to comply with the August 12 order. (See ECF Nos. 139, 142.) Plaintiff's deadline to comply with the August 12 order was November 10. Plaintiff has not filed a response.

Plaintiff was warned that if he failed to provide an address for Garcia or show cause why Garcia should not be dismissed, this court would recommend defendant Garcia be dismissed without prejudice.

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1 Accordingly, IT IS HEREBY RECOMMENDED that defendant Garcia be dismissed
2 from this action without prejudice.

3 These findings and recommendations will be submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within thirty days after
5 being served with these findings and recommendations, either party may file written objections
6 with the court. The document should be captioned “Objections to Magistrate Judge's Findings
7 and Recommendations.” The parties are advised that failure to file objections within the specified
8 time may result in waiver of the right to appeal the district court’s order. Martinez v. Ylst, 951
9 F.2d 1153 (9th Cir. 1991).

10 Dated: November 18, 2020

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13 DEBORAH BARNES
14 UNITED STATES MAGISTRATE JUDGE
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