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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAUL ENRIQUE RAMIREZ,
Plaintiff,
v.
B. FLEMMING, et al.,
Defendants.

No. 2:14-cv-1937 KJM CKD P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On October 24, 2016, the remaining defendants filed a motion for summary judgment. Plaintiff has been granted four extensions of time to file his opposition to the motion with the opposition being due May 5, 2017. In the court’s April 14, 2017 order granting plaintiff his fourth extension of time, the court warned plaintiff that if he did not file his opposition by May 5, 2017, the court would recommend that this action be dismissed. Plaintiff has not filed his opposition nor otherwise responded to the court’s April 14, 2017 order.

For the foregoing reasons, IT IS HEREBY RECOMMENDED that this action be dismissed pursuant to Federal Rule of Civil Procedure 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, any party may file written

1 objections with the court and serve a copy on all parties. Such a document should be captioned
2 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
3 objections shall be filed and served within fourteen days after service of the objections. The
4 parties are advised that failure to file objections within the specified time may waive the right to
5 appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 Dated: May 25, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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