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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	JOSEPH L. ENNIS,	No. 2: 14-cv-2171 JAM KJN P
12	Plaintiff,	
13	v.	FINDINGS AND RECOMMENDATIONS
14	J. HAYES, et al.,	
15	Defendants.	
16		
17	By an order filed October 28, 2016, this court ordered plaintiff to complete and return to	
18	the court, within thirty days, the USM-285 forms necessary to effect service on defendants. That	
19	thirty day period has since passed, and plaintiff has not responded in any way to the court's order.	
20	Accordingly, the undersigned recommends that this action be dismissed.	
21	On October 28, 2016, the undersigned also recommended that plaintiff's claims against	
22	defendants Hayes, Dacio, Saeturn, Stein, Dobbs, Jorpy, Dr. Nangalam and Joseph be dismissed	
23	without leave to amend. (ECF No. 13.) Because the undersigned herein recommends that this	
24	action be dismissed, the October 28, 2016 findings and recommendations are vacated as	
25	unnecessary.	
26	Accordingly, IT IS HEREBY ORDERED that the October 28, 2016 findings and	
27	recommendations (ECF No. 13) are vacated;	
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IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. <u>See</u> Fed. R. Civ. P. 41(b).

These findings and recommendations will be 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, plaintiff may file written objections with the court. The document should be captioned "Objections to Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). Dated: December 27, 2016 KENDAL UNITED STATES MAGISTRATE JUDGE En2171.fusm kc