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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANDRY DANIELS,  
Plaintiff,  
v.  
MONROE/LIENBERGER DETENTION  
CENTERS, et al.,  
Defendants.

No. 2:14-cv-2176 KJM CKD P

FINDINGS AND RECOMMENDATIONS

Plaintiff commenced this action on September 19, 2014. (ECF No. 1.) On October 28, 2014, the undersigned determined that service was appropriate for defendants Torres, Garcia, Galey, and Gall, and recommended that all other defendants be dismissed. (ECF No. 4.) Torres, Garcia, Galey, and Gall have answered the complaint. (ECF Nos. 12-15.)

On April 8, 2015, the district judge dismissed the complaint and granted plaintiff leave to file an amended complaint in an attempt to state a cognizable claim against defendants Castaneda, Yakimtsev, Fristole, and Chan. (ECF No. 11.) Plaintiff has been granted multiple extensions of time to file an amended complaint and informed that no further extensions would be granted. (ECF Nos. 19, 22, 25.) The final deadline has passed, and plaintiff has not filed an amended complaint.

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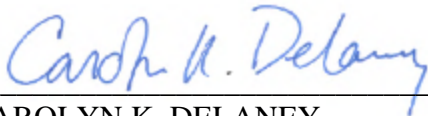
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Accordingly, IT IS HEREBY RECOMMENDED that:

1. This action be dismissed as to defendants Castaneda, Yakimtsev, Fristole, and Chan. See Local Rule 110; Red. R. Civ. P. 41(b); and
2. Plaintiff be permitted to proceed on the original complaint against defendants Torres, Garcia, Galey, and Gall.

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 objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” The parties are 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 8, 2015

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE