

1 passed, and plaintiff has not filed an amended complaint, or otherwise responded to the court's
2 order.


3 Because the undersigned recommends that this action be dismissed for lack of prosecution
4 based on plaintiff's failure to file an amended complaint, plaintiff's requests for counsel will be
5 denied as moot.

6 Accordingly, IT IS HEREBY ORDERED that plaintiff's requests for appointment of
7 counsel (ECF Nos. 28 & 29) are denied.

8 IT IS FURTHER RECOMMENDED that this action be dismissed without prejudice for
9 lack of prosecution. See Local Rule 110; Fed. R. Civ. P. 41(b).

10 These findings and recommendations are submitted to the United States District Judge
11 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
12 after being served with these findings and recommendations, any party may file written
13 objections with the court and serve a copy on all parties. Such a document should be captioned
14 "Objections to Magistrate Judge's Findings and Recommendations." Any response to the
15 objections shall be served and filed within fourteen days after service of the objections. The
16 parties are advised that failure to file objections within the specified time may waive the right to
17 appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

18 Dated: August 3, 2016

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21 KENDALL J. NEWMAN
22 UNITED STATES MAGISTRATE JUDGE

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