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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD JOSEPH CRANE,
Plaintiff,
v.
RODRIGUEZ, et al.,
Defendants.

No. 2:15-cv-0208 TLN KJN P

FINDINGS AND RECOMMENDATIONS

On October 20, 2015, plaintiff was given the option to proceed as to six defendants, or to file a third amended complaint and attempt to state a cognizable claim as to additional defendant Madrigal. On November 2, 2015, plaintiff filed documents for service of process on the six defendants, and consented to the dismissal of defendant Madrigal without prejudice. (ECF No. 29.)

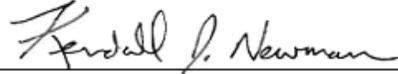
Accordingly, IT IS HEREBY RECOMMENDED that defendant Madrigal be dismissed without prejudice.

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, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that

1 failure to file objections within the specified time may waive the right to appeal the District
2 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 Dated: November 10, 2015

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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