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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EMMETT WADE CHRISTIAN,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

No. 2:15-cv-0541-JAM-EFB P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. In reviewing the complaint, the court found that the question of proper venue was not apparent from the face of the complaint. Accordingly, on June 29, 2015, the court ordered plaintiff to show cause within thirty days why this action, which appears to be based upon events that arose at the California Men’s Colony, should not be transferred to the United States District Court for the Central District of California. ECF No. 9.

The time for acting has passed and plaintiff has failed to respond to the order to show cause. Accordingly, it is hereby recommended that this action be dismissed for failure to prosecute. Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110.

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

1 after being served with these findings and recommendations, any party may file written
2 objections with the court and serve a copy on all parties. Such a document should be captioned
3 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections
4 within the specified time may waive the right to appeal the District Court’s order. *Turner v.*
5 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

6 DATED: August 6, 2015.

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9 EDMUND F. BRENNAN
10 UNITED STATES MAGISTRATE JUDGE
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