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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD L. EVANS,<sup>1</sup>  
Plaintiff,  
v.  
NATIONSTAR MORTGAGE, LLC,  
Defendant.

No. 2:15-cv-1213 JAM GGH PS

FINDINGS AND RECOMMENDATIONS

By order filed November 5, 2015, plaintiff’s complaint was dismissed and twenty-eight days leave to file an amended complaint was granted. In that order, the court informed plaintiff of the deficiencies in his complaint. The twenty-eight day period has now expired, and plaintiff has not filed an amended complaint or otherwise responded to the court’s order.

Plaintiff has apparently decided to rest on the dismissed complaint. For the reasons given in the November 5, 2015, order, IT IS HEREBY RECOMMENDED that this action be dismissed with prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

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

<sup>1</sup> Some of the filings refer to Christine Evans as a plaintiff; however, her name is crossed out on the signature line of the complaint and she has not signed the complaint. (ECF No. 1 at 23.) Nor has she signed the amended complaint. (ECF No. 15 at 12.) Therefore, this individual is not considered a party.

1 after being served with these findings and recommendations, plaintiff may file written objections  
2 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings  
3 and Recommendations.” Plaintiff is advised that failure to file objections within the  
4 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951  
5 F.2d 1153 (9th Cir. 1991).

6 Dated: December 14, 2015

7 /s/ Gregory G. Hollows

8 UNITED STATES MAGISTRATE JUDGE

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