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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAMIEN LEE DAVIS,  
Petitioner,  
v.  
F FOULK,  
Respondent.

No. 2:15-cv-2379 TLN CKD P

FINDINGS AND RECOMMENDATIONS

Petitioner commenced this action by filing a motion for extension of time. (ECF No. 1.) By order filed November 25, 2015, petitioner was granted thirty days to file a petition that complied with federal pleading requirements, or face dismissal of this action. The thirty-day period has now expired, and petitioner has not filed a petition or otherwise responded to the court’s order.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without 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 after being served with these findings and recommendations, petitioner may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Petitioner is advised that failure to file objections within the

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

3 Dated: January 5, 2016



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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