1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 ANGELA NAILS, No. 2:16-cv-688-MCE-EFB PS 12 Plaintiff. 13 FINDINGS AND RECOMMENDATIONS v. 14 24 HOUR FITNESS CENTER, 15 Defendant. 16 17 On February 7, 2017, the court dismissed plaintiff's complaint for failure to state a claim, and granted plaintiff 30 days to file an amended complaint. ECF Nos. 22, 23. On May 2, 2017, 18 19 the court granted plaintiff's request for an extension of time and ordered plaintiff to file her 20 amended complaint within thirty days. ECF No. 26. Plaintiff was admonished that failure to 21 timely file an amended complaint would result in a recommendation that this action be dismissed. 22 Id. 23 The deadline has passed and plaintiff has not filed an amended complaint or otherwise 24 responded to the court's order. 25 Accordingly, it is hereby RECOMMENDED that this action be dismissed, and that the 26 Clerk be directed to close this case. See Fed. R. Civ. P. 41(b); Local Rule 110. 27 <sup>1</sup> This action, in which plaintiff is proceeding in propria persona, was referred to the 28 undersigned under Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1). 1

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)(l). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections within the specified time may waive the right to appeal the District Court's order. Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). Dated: June 20, 2017. UNITED STATES MAGISTRATE JUDGE