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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH ALAN SIERRA,

Plaintiff,

v.

DIRECTOR OF DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION, et al.,

Defendants.

No. 2: 16-cv-1067 MCE KJN P

FINDINGS & RECOMMENDATIONS

Plaintiff is a former prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On November 4, 2021, the undersigned recommended that this action be dismissed for failure to prosecute. (ECF No. 92.) On November 15, 2021, plaintiff filed a motion for a sixty-days extension of time to file an amended complaint. (ECF No. 93.)

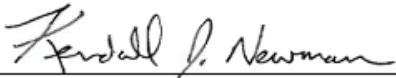
On November 18, 2021, the undersigned vacated the November 4, 2021 findings and recommendations and granted plaintiff sixty days to file an amended complaint. (ECF No. 94.) Sixty days passed and plaintiff did not file an amended complaint.

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

1 after being served with these findings and recommendations, plaintiff may file written objections  
2 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.” Plaintiff is advised that  
4 failure to file objections within the specified time may waive the right to appeal the District  
5 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 Dated: January 26, 2022

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KENDALL J. NEWMAN  
9 UNITED STATES MAGISTRATE JUDGE

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