

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSH THOMAS,
Plaintiff,
v.
JOSH BICK, et al.,
Defendants.

No. 2:16-cv-1425 TLN CKD P

FINDINGS AND RECOMMENDATIONS

On September 1, 2016, plaintiff’s complaint was dismissed with leave to file an amended complaint. At plaintiff’s request, the court has granted three extensions of time for plaintiff to comply. The most recent extension required plaintiff’s amended complaint to be filed by May 17, 2017. Plaintiff has not filed an amended complaint nor explained why not. 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, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified

////

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

3 Dated: May 30, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

4
5
6
7
8 1
9 thom1425.fta

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28