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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANK BRETT,  
Plaintiff,  
v.  
JERRY BROWN, et al,  
Defendants.

No. 2:16-cv-1797-MCE-EFB PS

FINDINGS AND RECOMMENDATIONS

On March 31, 2017, the court dismissed plaintiff’s complaint with leave to amend.<sup>1</sup> The order explained the complaint’s deficiencies, gave plaintiff thirty days to file an amended complaint correcting those deficiencies, and warned plaintiff that failure to file an amended complaint would result in a recommendation that this action be dismissed. ECF No. 5.

The deadline has passed and plaintiff has not filed an amended complaint or otherwise responded to the order.

Accordingly, it is hereby RECOMMENDED that this action be dismissed, and that the Clerk be directed to close this case. See Fed. R. Civ. P. 41(b); Local Rule 110.

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

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<sup>1</sup> This action, in which plaintiff is proceeding in propria persona, was referred to the undersigned under Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1).

1 after being served with these findings and recommendations, plaintiff may file written  
2 objections with the court. Such a document should be captioned “Objections to Magistrate  
3 Judge’s Findings and Recommendations.” Failure to file objections within the specified time  
4 may waive the right to appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455  
5 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

6 DATED: May 9, 2017.

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8 EDMUND F. BRENNAN  
9 UNITED STATES MAGISTRATE JUDGE  
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