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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID WESLEY BIRRELL, et al.,
Plaintiffs,
v.
ROBERT W. FOX,
Defendant.

No. 2:16-cv-1818 KJM CKD P

FINDINGS AND RECOMMENDATIONS

Plaintiffs are state prisoners proceeding pro se and individually. On May 10, 2019, this matter was stayed to permit plaintiffs to find representation. On June 29, 2022, the court ordered that, within 21 days, plaintiffs file a status report indicating whether they have obtained counsel and, if not, whether they wish to pursue this matter pro se. Plaintiffs were warned that failure to respond to this order will result in a recommendation that this action be dismissed. Plaintiffs Deegan, Toussaint, Moore, Alvarez, Lownes and Alford have not responded to the court’s order.

In accordance with the above, IT IS HEREBY RECOMMENDED that plaintiffs Deegan, Toussaint, Moore, Alvarez, Lownes and Alford be dismissed.

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, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned

1 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
2 objections shall be served and filed within fourteen days after service of the objections. The
3 parties are advised that failure to file objections within the specified time may waive the right to
4 appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

5 Dated: August 4, 2022



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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