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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CURT MARTIN,
Plaintiff,
v.
SACRAMENTO SHERIFF DEPT.,
Defendant.

No. 2:16-cv-2082 KJM DB P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action under 42 U.S.C. § 1983. In an order filed March 31, 2017, the court dismissed plaintiff's complaint and gave plaintiff thirty days to file an amended complaint. In an order filed May 15, 2017, plaintiff was given an additional thirty days to file an amended complaint. That time has passed and plaintiff has not filed an amended complaint or otherwise responded to the court's orders.


In both the March 31 and May 15 orders, plaintiff was advised that his failure to file an amended complaint in compliance with the court's orders may result in a recommendation that this case be dismissed.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See E.D. Cal. R. 110; Fed. R. Civ. P. 41(b).

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1 These findings and recommendations are submitted to the United States District Judge
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
3 after being served with these findings and recommendations, plaintiff may file written objections
4 with the court and serve a copy on all parties. Such a document should be captioned
5 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that
6 failure to file objections within the specified time may waive the right to appeal the District
7 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

8 Dated: June 28, 2017

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11 _____
12 DEBORAH BARNES
13 UNITED STATES MAGISTRATE JUDGE
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