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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   WALTER SHANE LANGSTON,   No. 2:16-cv-2357 JAM AC P

12   Plaintiff,

13   v.   FINDINGS AND RECOMMENDATIONS

14   G. KAUR, Law Librarian,

15   Defendant.

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17   By order filed December 2, 2016, this court directed plaintiff to complete and return to the

18   court, within thirty days, the USM-285 form and two copies of his endorsed complaint necessary

19   for the United States Marshal to effect service on defendant Kaur. See ECF No. 7. On December

20   15, 2016, plaintiff submitted the USM-285 form but failed to submit copies of his complaint. By

21   order filed December 29, 2016, the court again directed plaintiff to submit two copies of his

22   endorsed complaint within thirty days. See ECF No. 11. Plaintiff was informed that "[f]ailure to

23   return the copies within the specified time period will result in a recommendation that this action

24   be dismissed without prejudice." Id. at 2. The second thirty-day period has passed, and plaintiff

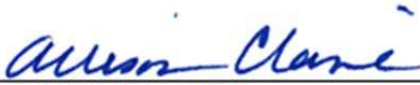25   has not responded in any way to the court's order.

26   Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without

27   prejudice. See Fed. R. Civ. P. 41(b).

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1   These findings and recommendations will be submitted to the United States District Judge

2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days

3 after being served with these findings and recommendations, plaintiff may file written objections

4 with the court. The document should be captioned "Objections to Findings and

5 Recommendations." Plaintiff is advised that failure to file objections within the specified time

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

7 Cir. 1991).

8 DATED: February 8, 2017

9   _____
                                                     ALLISON CLAIRE
10   UNITED STATES MAGISTRATE JUDGE

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