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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARTHUR BLANQUIZA JAMIE, JR.,
Plaintiff,
v.
ALBERTSONS,
Defendant.

No. 2:16-cv-02637 KJM AC

FINDINGS AND RECOMMENDATIONS


Plaintiff is proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). On January 12, 2017, this Court dismissed Plaintiff’s complaint and denied his motion to proceed in forma pauperis (“IFP”). ECF No. 5. Plaintiff was given 30 days to renew his IFP application and file an amended complaint. Id. The Court warned that failure to comply may result in a recommendation to dismiss this action for failure to prosecute. Id. Plaintiff did not file an amended complaint or renew his IFP application in the allotted time. This court issued an Order to Show Cause why this case should not be dismissed for failure to prosecute. ECF No. 7. Plaintiff’s response was due June 21, 2017, and plaintiff failed to respond.

Therefore, IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for lack of prosecution and for failure to comply with the court’s order. See Fed. R. Civ. P. 41(b).

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These findings and recommendations are submitted to the United States District Judge assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14) days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Local Rule 304(b). Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

DATED: June 22, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE