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8	UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
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11	YOBA FALCON,	No. 2:16-cv-2645-JAM-EFB P	
12	Petitioner,		
13	v.	FINDINGS AND RECOMMENDATIONS	
14	JACK FOX, et al.,		
15	Respondents.		
16			
17	Petitioner, a federal prisoner proceeding without counsel, seeks a writ of habeas corpus		
18	pursuant to 28 U.S.C. § 2241. On May 1, 2017, respondents filed a motion to dismiss on the		
19	ground that petitioner has not exhausted his administrative remedies with regard to the issues		
20	raised in his petition. On June 6, 2017, the court informed petitioner of the requirements for		
21	filing an opposition to any motion to dismiss. That order gave petitioner 21 days to file an		
22	opposition or statement of non-opposition and warned petitioner that failure to do so would result		ult
23	in a recommendation that this action be dismissed. ECF No. 18. On July 6, 2017, the court		
24	granted petitioner an additional extension of 15 days to file his opposition. ECF No. 20.		
25	Despite the extension of time, the time for acting has passed and petitioner has not filed an		an
26	opposition or a statement of no opposition nor otherwise responded to the June 6, 2017, order.		
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Accordingly, it is RECOMMENDED that this action be dismissed. Fed. R. Civ. P. 41(b); Rule 12, Rules Governing § 2254 Cases; E.D. Cal. 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)(l). 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 "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections within the specified time may waive the right to appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). In his objections petitioner may address whether a certificate of appealability should issue in the event he files an appeal of the judgment in this case. *See* Rule 11, Federal Rules Governing Section 2254 Cases (the district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant).

Dated: August 23, 2017.

EDMUND F. BRENNAN

UNITED STATES MAGISTRATE JUDGE