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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES R. COOKS,
Plaintiff,
v.
CALIFORNIA STATE PRISON,
SOLANO, et al.,
Defendants.

No. 2:17-cv-0049 JAM CKD P

FINDINGS AND RECOMMENDATIONS

On October 23, 2017, plaintiff’s amended complaint was stricken and thirty days leave to file a second amended complaint was granted. The thirty day period has now expired, and plaintiff has not filed a second amended complaint.

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

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 after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time

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1 waives the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir.
2 1991).

3 Dated: December 4, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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