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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

VINCENT ANTHONY CALLENDER,  
Plaintiff,  
v.  
DR. BECKEL, et al.,  
Defendants.

No. 2:17-cv-00274 CKD P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

By order filed January 19, 2018, plaintiff’s first amended complaint was dismissed for failing to state a claim. Plaintiff was granted leave to file a second amended complaint within thirty days. ECF No. 16. After two extensions of time, plaintiff has not filed a second amended complaint and the timeframe to do so has now expired. See ECF Nos. 18, 20.

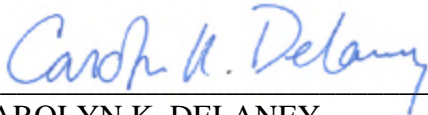
Accordingly, IT IS HEREBY ORDERED that a district court judge be randomly assigned to this case.

IT IS FURTHER 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

1 Recommendations.” Plaintiff is advised that failure to file objections within the specified time  
2 waives the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir.  
3 1991).

4 Dated: May 2, 2018

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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