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that this action be dismissed. ECF No. 26.

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 NICHOLAS PATRICK, No. 2:17-cv-0857-JAM-EFB P 12 Plaintiff. 13 **ORDER** v. 14 LEAL, et al., 15 Defendants. 16 17 Plaintiff is a former state prisoner proceeding without counsel in an action brought under 18 42 U.S.C. § 1983. On December 21, 2018, defendants filed a motion to compel plaintiff to 19 submit to a deposition, to pay costs for the missed deposition, and to respond to their outstanding 20 discovery requests. ECF No. 21. The time for responding to the motion passed, and plaintiff 21 failed to file an opposition or otherwise respond. On January 25, 2019, the court warned plaintiff 22 that failure to respond to the motion could result in a recommendation that this action be 23 dismissed. ECF No. 23. Despite being granted a 30-day extension of time, the time for acting 24 passed and plaintiff failed to file an opposition or otherwise respond to the court's order. 25 Therefore, on February 27, 2019, the court issued findings and recommendations recommending

Now pending before the court is plaintiff's March 15, 2019 "request for extension of time," stating that plaintiff was incarcerated at the Orange County Jail from January 8, 2019 to

February 20, 2019. ECF No. 27. Plaintiff does not explain why he failed to timely notify the court of his change in address or to respond to defendants' motion. In an abundance of caution, the court will hold the findings and recommendations in abeyance for another twenty-one days to allow plaintiff a final opportunity to file objections to the February 27, 2019 findings and recommendations. The court is not inclined to extend the time any further.

Accordingly, IT IS HEREBY ORDERED that plaintiff has twenty-one days to file objections to the February 27, 2019 findings and recommendations and the Clerk of the Court shall terminate ECF No. 27. Should plaintiff fail to so comply, the findings and recommendations will be submitted to the district judge for consideration.

DATED: March 28, 2019.

EĎMUND F. BRĚNNAN

UNITED STATES MAGISTRATE JUDGE