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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL WASHINGTON,
Plaintiff,
v.
J. CLARK KELSO, et al.,
Defendants.

No. 2:17-cv-1129 KJN P

ORDER AND FINDINGS AND
RECOMMENDATIONS

By order filed September 28, 2017, plaintiff's amended complaint was dismissed and thirty days leave to file a second amended complaint was granted. Thirty days from that date have now passed, and plaintiff has not filed a second amended complaint, or otherwise responded to the court's order.

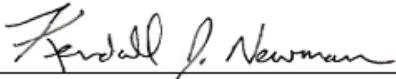
Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

IT IS 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 days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned

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

4 Dated: October 12, 2017

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6 _____
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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