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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMUNDO JIMENEZ-AYALA,
Plaintiff,
v.
J. SALAZAR, et al.,
Defendants.

No. 2:17-cv-1150 DB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a federal prisoner proceeding pro se in a civil rights action pursuant to Bivens vs. Six Unknown Agents, 403 U.S. 388 (1971). Plaintiff alleges defendants failed to provide him with adequate medical treatment in violation of the Eighth Amendment.

By order dated November 26, 2018, plaintiff's first amended complaint was dismissed and thirty days leave to file an amended complaint was granted. (ECF No. 11.) Thereafter, plaintiff failed to file an amended complaint. On January 18, 2019, the court directed plaintiff to file an amended complaint within fourteen days and warned him that failure to file an amended complaint would result in a recommendation that this action be dismissed. (ECF No. 12.) Those fourteen days have now passed, and plaintiff has not filed an amended complaint, updated his address, or otherwise responded to the court's order.


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1 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to
2 randomly assign a district judge to this action.

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

5 These findings and recommendations are submitted to the United States District Judge
6 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
7 after being served with these findings and recommendations, plaintiff may file written objections
8 with the court and serve a copy on all parties. Such a document should be captioned
9 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that
10 failure to file objections within the specified time may waive the right to appeal the District
11 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

12 Dated: March 18, 2019

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15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE

17 DLB:12
18 DLB:1/Orders/Prisoner.Civil.Rights/jimi1150.fsc
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