

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIM EDWARD ROGERS,  
Plaintiff,  
v.  
EDMUND G. BROWN JR., et al.  
Defendants.

No. 2:17-cv-1643 KJM DB PS

FINDINGS AND RECOMMENDATIONS


By order signed October 23, 2017, plaintiff’s complaint was dismissed and plaintiff was granted leave to file an amended complaint that cured the defects noted in that order. (ECF No. 3.) Plaintiff was granted twenty-eight days from the date of that order to file an amended complaint and was specifically cautioned that the failure to respond to the court’s order in a timely manner would result in a recommendation that this action be dismissed. The twenty-eight day period has expired, and plaintiff has not responded to the court’s order in any manner.

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 will be 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. A document containing objections should be titled “Objections to Magistrate

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

4 Dated: February 5, 2018

5  
6   
7 DEBORAH BARNES  
8 UNITED STATES MAGISTRATE JUDGE  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

21 DLB:6  
22 DB\orders\orders.pro se\rogers1643.fta.f&rs  
23  
24  
25  
26  
27  
28