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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREG HERNANDEZ,
Plaintiff,
v.
LISA McCAULEY,
Defendant.

No. 2:17-cv-01682-GEB-GGH

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding pro se in this matter which was assigned to the magistrate judge pursuant to Eastern District of California Local Rule 302(c)(17). On August 24, 2017 the undersigned granted plaintiff's in forma pauperis application, but dismissed his complaint with leave to amend in conformity with the standards set out in the Order. Plaintiff was given 30 days to comply with the Order by filing an amended complaint. He did not do so. Plaintiff was given notice in the Order that the failure to file an amended complaint meeting the pleading requirements outlined in the Order could result in a recommendation that his complaint be dismissed with prejudice.

Plaintiff has filed no Amended Complaint. In light of these facts, IT IS HEREBY RECOMMENDED that:

1. Plaintiff's Complaint should be dismissed with prejudice for failure to obey a court order and failure to prosecute;
2. The Clerk of the Court should be directed to close this file.

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This Recommendation is 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 (14) days after being served with these findings and recommendations, the plaintiff may file written objections with the court. Such a document should be captioned “Objections to Magistrate Judge's Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir.1991).

IT IS SO RECOMMENDED.

Dated: October 9, 2017

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE