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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD J. HELTON  
Plaintiff,  
v.  
MARION E. SPEARMAN, et al.,  
Defendants.

No. 2:17-cv-01694 CKD P

ORDER AND  
FINDINGS AND RECOMMENDATIONS

By order filed August 30, 2017, plaintiff’s complaint was dismissed and thirty days leave to file an amended complaint was granted. Following four extensions of time, plaintiff still has not filed an amended complaint. Plaintiff has consented to this court’s jurisdiction pursuant to 28 U.S.C. § 636(c) and Local Rule 302.

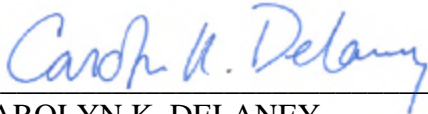
Accordingly, IT IS HEREBY ORDERED that a district court judge be randomly assigned to this action.

IT IS FURTHER 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

1 after being served with these findings and recommendations, plaintiff may file written objections  
2 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings  
3 and Recommendations.” Plaintiff is advised that failure to file objections within the specified  
4 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153  
5 (9th Cir. 1991).

6 Dated: June 5, 2018

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9 CAROLYN K. DELANEY  
10 UNITED STATES MAGISTRATE JUDGE

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