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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STANLEY JEROME JACKSON
BAILEY,

Plaintiff,

v.

CALIFORNIA ARMY NATIONAL
GUARD,

Defendant.

No. 2:17-cv-1707 TLN CKD P

FINDINGS AND RECOMMENDATIONS

By order filed January 4, 2018, plaintiff's complaint was dismissed and he was given thirty days to file an amended complaint. (ECF No. 9.) After the thirty-day period expired without plaintiff filing an amended complaint or otherwise responding to the court's order, he was given an additional fourteen days to file an amended complaint and warned that failure to do so would result in a recommendation that this case be dismissed without prejudice for failure to prosecute. (ECF No. 13.) Plaintiff has once again failed to file an amended complaint or otherwise respond.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice for failure to prosecute. See L.R. 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 IT IS SO ORDERED.

7 Dated: March 23, 2018



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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