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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-02070-TLN-CKD (PS)

FINDINGS AND RECOMMENDATIONS

Plaintiff, who proceeds pro se, has asserted federal question jurisdiction pursuant to 42 U.S.C. § 1983. (See ECF No. 1 at 8.) On October 25, 2017, the court granted plaintiff’s application to proceed in forma pauperis. (ECF No. 3.) At the same time, the court admonished plaintiff that his complaint “lacks sufficient specificity to state a claim upon which relief may be granted” and that “to the extent that plaintiff attempts to bring claims on behalf of all African-Americans in California, it appears that he lacks standing.” (Id. at 2–3.) Plaintiff was granted 28 days, from October 25, 2017, to file an amended complaint. (Id. at 4.) Because plaintiff has failed to file an amended complaint or request additional time, it appears that he has chosen to abandon this action.


Accordingly, IT IS HEREBY RECOMMENDED that:

1. The action be dismissed without prejudice.
2. The Clerk of Court be directed to close this case.

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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 after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” 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).

Dated: December 6, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

14/ps.17-2070.rogers.F&R dismissal