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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM MARTIN HENDERSON,  
Plaintiff,  
v.  
CDCR DIRECTOR, et al.,  
Defendants.

No. 2:17-cv-2121 DB P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 6, 2019, the undersigned screened the instant complaint and determined that it failed to state a claim upon which relief could be granted. (See ECF No. 26). As a result, plaintiff was ordered to file an amended complaint within thirty days. (See id. at 6-7). Plaintiff neither filed an amended complaint, nor did he respond to the court’s order in any way.

On April 14, 2020, the undersigned directed plaintiff to show cause within thirty days why this action should not be dismissed for failure to prosecute and for failure to obey a court order. (ECF No. 29). At that time, plaintiff was informed that a failure to respond to the order might result in a recommendation that this action be dismissed. (See id. at 2). Once again, plaintiff failed to respond to the court’s order in any way.

1 In light of these facts, IT IS HEREBY ORDERED that the Clerk of Court randomly  
2 assign a District Court Judge to this action.

3 IT IS FURTHER RECOMMENDED that this action be DISMISSED without prejudice  
4 for failure to state a claim, for failure to prosecute, and for failure to obey a court order. See 28  
5 U.S.C. § 1915A(b)(1); Fed. R. Civ. P. 41(b); L.R. 110.

6 These findings and recommendations are submitted to the United States District Judge  
7 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within thirty days after  
8 being served with these findings and recommendations, plaintiff may file written objections with  
9 the court. Such a document should be captioned “Objections to Magistrate Judge’s Findings and  
10 Recommendations.” Plaintiff is advised that failure to file objections within the specified time  
11 may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th  
12 Cir. 1991).

13 Dated: May 20, 2020

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16 DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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