UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN ESPINO,

Plaintiff,

v.

ERIC ARNOLD,

Defendant.

No. 2:17-cv-2198 KJM AC P

FINDINGS AND RECOMMENDATIONS

On June 3, 2019, the undersigned ordered plaintiff to file an amended complaint within thirty days. ECF No. 9. Thereafter, on June 19, 2019, plaintiff filed a request for a ninety-day extension of time to file the amended complaint, which was granted on June 24, 2019. ECF Nos. 12, 13. More than ninety days from that date have now passed, and plaintiff has not filed an amended complaint or otherwise responded to the court's order.

Accordingly, IT IS HEREBY 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)(l). Within fourteen days after being served with these findings and recommendations, 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).

DATED: September 27, 2019

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE