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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 PAMELA DENISE PRINGLE, No. 2:17-cv-02206-TLN-AC (PS)
12 Plaintiff,
13 v. **ORDER**
14 AMANDA GENTRY, et al.,
15 Defendants.

17 Plaintiff, proceeding pro se, filed the above-entitled action. The matter was referred to a
18 United States Magistrate Judge pursuant to Local Rule 302(c)(21).

19 On March 30, 2018, the magistrate judge filed findings and recommendations herein
20 which were served on Plaintiff and which contained notice to Plaintiff that any objections to the
21 findings and recommendations were to be filed within twenty one days. ECF No. 27. Plaintiff
22 has filed timely objections to the findings and recommendations. ECF No. 29.

23 The Court has reviewed the file and adopts in part the magistrate judge's analysis.
24 However, the Court declines to adopt the *sua sponte* dismissal for *forum non conveniens* of
25 Plaintiff's second claim. When a Court *sua sponte* dismisses for *forum non conveniens* it must
26 first provide the plaintiff notice and an opportunity to be heard. *Khokhar v. Yousuf*, C 15-06043-
27 SBA, 2017 WL 3535055, at *4 (N.D. Cal. 2017) (citing *Costlow v. Weeks*, 790 F.2d 1486, 1488
28 (9th Cir. 1986)). Plaintiff shall be afforded an opportunity to be heard on *forum non conveniens*

1 prior to dismissal of her second claim.

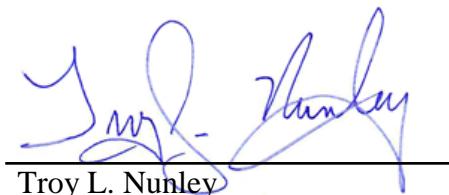
2 Accordingly, IT IS HEREBY ORDERED that:

- 3 1. The findings and recommendations filed March 30, 2018, are adopted in part;
- 4 2. Defendants' motion to dismiss (ECF No. 12) is GRANTED IN PART and Plaintiff's
5 first, third, and fourth claims are dismissed for lack of personal jurisdiction; and
- 6 3. The Court refers this matter back to the magistrate judge for further proceedings
7 consistent with this order.

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9 Dated: May 7, 2018

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12 Troy L. Nunley
13 United States District Judge

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