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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	KENDALL BURTON,	No. 2:17-cv-2405-MCE-EFB P
12	Plaintiff,	
13	V.	FINDINGS AND RECOMMENDATIONS
14	MOHYUDDIA,	
15	Defendant.	
16		
17	Plaintiff is a state prisoner proceeding without counsel in an action brought under 42	
18	U.S.C. § 1983. By order filed July 17, 2018, the court found that service of the complaint is	
19	appropriate for defendant Mohyuddia. ECF No. 8. The court informed plaintiff he could proceed	
20	against defendant Mohyuddia only or file an amended complaint within 30 days that also states a	
21	claim against additional defendants, including defendants Malakkla and Lewis. Id. The time for	
22	amending has passed and plaintiff has elected to proceed only with the claims against defendant	
23	Mohyuddia. See ECF No. 11.	
24	Accordingly, IT IS HEREBY RECOMMENDED that plaintiff's claims against	
25	defendants Malakkla and Lewis be dismissed without prejudice.	
26	These findings and recommendations are submitted to the United States District Judge	
27	assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days	
28	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. Turner v.	
Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).	
Dated: August 22, 2018.	
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EDMUND F. BRENNAN UNITED STATES MAGISTRATE JUDGE	
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