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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAVANCE ROSS PAYNE,  
Plaintiff,  
v.  
C. BASER, et al.,  
Defendants.

No. 2:18-cv-0956 JAM CKD P

FINDINGS AND RECOMMENDATIONS

On July 26, 2019, plaintiff’s complaint was dismissed with leave to amend. Plaintiff has been warned that failure to file an amended complaint within the time allotted would result in a recommendation that this action be dismissed. ECF No. 33. Plaintiff’s amended complaint was due October 16, 2019 (id.) and plaintiff has not filed an amended complaint.

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)(1). Within fourteen after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time

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1 waives the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir.  
2 1991).

3 Dated: October 29, 2019



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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