

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JON HUMES,

Plaintiff,

v.

DETECTIVE G. LEE,

Defendant.

No. 2:18-cv-1110 KJN P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a jail inmate, proceeding pro se. By order filed June 18, 2018, plaintiff was ordered to show cause, within thirty days, why this action should not be dismissed without prejudice to plaintiff filing an amended complaint in his prior case, No. 2:18-cv-0426 JAM CKD. The thirty-day period has now expired, and plaintiff has not shown cause or otherwise responded to the court's order.¹

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

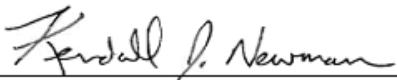
IT IS RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

¹ On July 11, 2018, plaintiff filed a proposed order, but it pertained to plaintiff's efforts to obtain a certified trust account statement in support of his application to proceed in forma pauperis, which was subsequently filed. (ECF Nos. 10, 11.) Neither of these filings addressed the court's June 18, 2018 order.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 days 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 may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: August 16, 2018


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

/hume1110.fsc