

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

ALFRED NORMAN JOHNSON, III,
Plaintiff,
v.
SYLVAN, et al.,
Defendants.

No. 2:18-cv-1929-TLN-EFB P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a former state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On March 20, 2020, the court screened plaintiff’s complaint pursuant to 28 U.S.C. § 1915(e)(2). The court found service appropriate as to defendant Sylvan on a First Amendment retaliation claim and granted plaintiff thirty days to return documents necessary to effect service of process. ECF No. 13. The order warned plaintiff that failure to comply could result in a recommendation that this action be dismissed. The time for acting has passed and plaintiff has not submitted the documents necessary for service or otherwise responded to the court’s order.

Accordingly, it is RECOMMENDED that this action be DISMISSED. Fed. R. Civ. P. 41(b); E. D. Cal. L.R. 110.

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

1 after being served with these findings and recommendations, any party may file written
2 objections with the court and serve a copy on all parties. Such a document should be captioned
3 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections
4 within the specified time may waive the right to appeal the District Court’s order. *Turner v.*
5 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

6 DATED: April 28, 2020.

7 
8 EDMUND F. BRENNAN
9 UNITED STATES MAGISTRATE JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28