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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATHAN VARGAS,
Plaintiff,
v.
THOMAS BANASURIE,
Defendant.

No. 2: 18-cv-2774 KJN P

ORDER AND FINDINGS AND
RECOMMENDATIONS

By an order filed January 4, 2019, this court ordered plaintiff to complete and return to the court, within sixty days, the USM-285 form necessary to effect service on defendant Banasurie. That sixty days period has since passed, and plaintiff has not responded in any way to the court’s order.

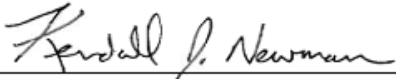
Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall appoint a district judge to this action; and

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

These findings and recommendations will be 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 Findings and

1 Recommendations.” Plaintiff is advised that failure to file objections within the specified time
2 may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th
3 Cir. 1991).

4 Dated: April 11, 2019

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6 _____
7 KENDALL J. NEWMAN
8 UNITED STATES MAGISTRATE JUDGE

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