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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SOLOMON JAMES MICHAEL
ANDREWS,

Plaintiff,

v.

RN RUSSO, et al.,

Defendants.

No. 2:18-cv-2891 DB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action under 42 U.S.C. § 1983. Plaintiff alleges that defendants failed to provide appropriate medical care. Plaintiff filed his original complaint in October 2018. (ECF No. 1.) On screening, this court found plaintiff stated no claims potentially cognizable under § 1983. (ECF No. 8.) This court gave plaintiff leave to amend. On January 22, 2019, plaintiff filed a first amended complaint. (ECF No. 11.) Again, on screening, this court found no cognizable claims. (Feb. 4, 2019 Order (ECF No. 12).) Plaintiff was given leave to file a second amended complaint. This court also advised plaintiff that if he failed to file a second amended complaint within the thirty days provided or otherwise failed to respond to the court’s order, this court would recommend this action be dismissed.

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1 More than thirty days have passed since the court issued its February 4, 2019 order and
2 plaintiff has not filed a second amended complaint or any other responsive documents.

3 Accordingly, the Clerk of the Court is HEREBY ORDERED to randomly assign a district
4 judge to this case.

5 Further, IT IS RECOMMENDED that this case be dismissed for plaintiff's failure to
6 comply with court orders. See E.D. Cal. R. 110; Fed. R. Civ. P. 41.

7 These findings and recommendations will be submitted to the United States District Judge
8 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
9 after being served with these findings and recommendations, plaintiff may file written objections
10 with the court. The document should be captioned "Objections to Magistrate Judge's Findings
11 and Recommendations." Plaintiff is advised that failure to file objections within the specified
12 time may result in waiver of the right to appeal the district court's order. Martinez v. Ylst, 951
13 F.2d 1153 (9th Cir. 1991).

14 Dated: March 15, 2019

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18 DEBORAH BARNES
19 UNITED STATES MAGISTRATE JUDGE

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21 DB/prisoner-civil rights/andr2891.fta fr

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