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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANCISCO JAVIER VARGAS,

Plaintiff,

v.

WARDEN CSP-CORCORAN, et al.,

Defendants.

No. 2:19-cv-0892 DB P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. Upon screening plaintiff’s first amended complaint, this court found plaintiff failed to state any potentially cognizable claims for relief. (June 13, 2019 Order (ECF No. 8).) This court advised plaintiff of the legal standards for the claims he appeared to be attempting to allege and gave plaintiff thirty days to file a second amended complaint.

On July 30, when plaintiff had not filed a second amended complaint or otherwise responded to the court’s June 13 order, this court gave plaintiff twenty additional days to file a second amended complaint. Plaintiff was warned that if he failed to file a timely second amended complaint, this court would recommend this action be dismissed.

Twenty days have passed and plaintiff has not filed anything in response to the court’s June 13 and July 30 orders. Accordingly, this court recommends this action be dismissed for

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1 plaintiff's failure to prosecute and failure to comply with court orders. See E.D. Cal. R. 110; Fed.  
2 R. Civ. P. 41.

3 For the foregoing reasons, the Clerk of the Court is **HEREBY ORDERED** to assign a  
4 district judge to this case; and

5 **IT IS RECOMMENDED** that this action be dismissed.

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

13 Dated: August 27, 2019

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17 DEBORAH BARNES  
18 UNITED STATES MAGISTRATE JUDGE

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