UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL L. HANSON,

Plaintiff,

v.

DIN NGOC LE, individually and dba D&V 96 Cent Store Plus; VAN THI TROUNG, individually and dba D&V 96 Cent Store Plus,

Defendants.

No. 2:19-cv-955-TLN-EFB PS

FINDINGS AND RECOMMENDATIONS

On February 13, 2020, the court the court screened plaintiff's complaint pursuant to 28 U.S.C. § 1915(e)(2). Because plaintiff's allegations could not be reconciled with judicially noticeable records[1], plaintiff was ordered to show cause, by no later than February 27, 2020, why this action should not be dismissed as frivolous. ECF No. 7. He was also admonished that failure to do so would result in a recommendation that this action be dismissed. *Id*.

The deadline has passed, and plaintiff has not responded to the court's order to show cause.

[1] Plaintiff alleged that his rights under Title III of the Americans with Disabilities Act were violated when he visited defendants' business in February 2018. ECF No. 5. However, the inmate locator website operated by the Oregon Department of Corrections reflects that plaintiff has been incarcerated since March of 2014.

Accordingly, it is hereby RECOMMENDED that this action be dismissed as frivolous for the reasons set forth in the court's February 13, 2020 order to show cause (ECF No. 7).

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

Dated: March 31, 2020.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE