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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARLOS HENDON,
Plaintiff,
v.
J. DEFAZIO, et al.,
Defendants.

No. 2:19-cv-01177-JAM-CKD P

FINDINGS AND RECOMMENDATIONS

By order filed August 17, 2020, plaintiff’s first amended complaint was dismissed and thirty days leave to file an amended complaint was granted. Plaintiff was granted numerous extensions of time and was even provided a free copy of his amended complaint in order to assist him in filing a second amended complaint. However, after being granted one last 14 day period of time in which to file his second amended complaint, plaintiff opted to file “Objections to Findings and Recommendations” instead of a second amended complaint. ECF No. 33.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

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 after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings

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

4 Dated: December 13, 2021


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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