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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PETER STROJNIK, SR.,
Plaintiff,
v.
AZUL HOSPITALITY GROUP, LLC.,
Defendant.

No. 2:19-cv-01877 TLN AC PS

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). On March 26, 2021, the court ordered the parties to submit a status report within 14 days. ECF No. 28. No status report was filed. Concerned that plaintiff had abandoned this case, the court issued an order to show cause within 10 days why this action should not be dismissed for failure to prosecute. ECF No. 31. The parties were cautioned that failure respond could lead to a recommendation that the action be dismissed. Again there was no response. Plaintiff has not responded to the court’s order, nor taken any other action to prosecute this case.

Therefore, IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for lack of prosecution and for failure to comply with the court’s order. See Fed. R. Civ. P. 41(b); Local Rule 110.

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These findings and recommendations are submitted to the United States District Judge assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one (21) days after being served with these findings and recommendations, the parties may file written objections with the court. Such document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Local Rule 304(d). Failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

DATED: April 27, 2021



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE