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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   ANN ZHAI,   No. 2:19-cv-1980 JAM DB PS

12   Plaintiff,

13   v.   FINDINGS AND RECOMMENDATIONS

14   MARKSTEIN BEVERAGE COMPANY,
      et al.,
15

16   Defendants.

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18   Plaintiff Ann Zhai proceeding in this action pro se. This matter was referred to the

19   undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). By order

20   signed March 30, 2020, plaintiff's complaint was dismissed, and plaintiff was granted leave to

21   file an amended complaint that cured the defects noted in that order. (ECF No. 3.) Plaintiff was

22   granted sixty days from the date of that order to file the amended complaint and was specifically

23   cautioned that the failure to respond to the court's order in a timely manner would result in a

24   recommendation that this action be dismissed. (Id. at 7.) The sixty-day period has expired, and

25   plaintiff has not responded to the court's order in any manner.

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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 will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within thirty days after being served with these findings and recommendations, plaintiff may file written objections with the court. A document containing objections should be titled "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may, under certain circumstances, waive the right to appeal the District Court's order. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: October 12, 2020

DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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