1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 No. 2:19-cv-02515 TLN GGH P STANLEY CARL SAHM, 12 Plaintiff. 13 FINDINGS AND RECOMMENDATIONS v. 14 CALIFORNIA DEPARTMENT OF CORRECTIONS AND 15 REHABILITATION. 16 Defendant. 17 18 On October 19, 2020, plaintiff was ordered to show cause, within fourteen days, why his 19 action should not be dismissed for a failure to comply with the court's previous instructions to file 20 an amended complaint. ECF No. 20. Plaintiff has filed a response notifying the court he has filed 21 what appears to be an additional 602 grievance with the state prison for additional claims he seeks 22 to raise in this action. ECF No. 21. However, petitioner has not filed an amended complaint as 23 instructed by the court. Petitioner was previously warned that failure to comply with the court's 24 order would result in a recommendation that this action be dismissed. ECF No. 20. Accordingly, 25 the undersigned will recommend dismissal of this action for failure to comply with the court's 26 order. 27 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice for

failure to comply with the court's order. See Local Rule 110; Fed. R. Civ. P. 41(b).

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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, plaintiff may file written objections
with the court. The document should be captioned "Objections to Magistrate Judge's Findings
and Recommendations." Plaintiff is advised that 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: December 7, 2020
/s/ Gregory G. Hollows UNITED STATES MAGISTRATE JUDGE