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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VITALY KONONOV,
Plaintiff,
v.
SACRAMENTO COUNTY MAIN JAIL,
Defendant.

No. 2:20-cv-1110 DB P

ORDER AND
FINDINGS & RECOMMENDATIONS

By order filed March 16, 2021, plaintiff’s second amended complaint was screened and found to improperly join several unrelated claims against an array of defendants. In addition, the allegations were found to be so vague and conclusory that the court was unable to determine whether the action is frivolous or fails to state a claim for relief. Plaintiff was granted a final opportunity to amend his pleading. Plaintiff was granted thirty days to file a third amended complaint curing the deficiencies identified by the court, a notice of voluntary dismissal, or a notice of election to stand on the second amended complaint. Plaintiff was notified that if he failed to respond, then it would be recommended the action be dismissed for failure to obey a court order and failure to state a claim.

The time granted for plaintiff to file a third amended complaint or otherwise respond to the court’s order has passed. Plaintiff has not filed an amended complaint or otherwise responded to the court’s order.

1 Accordingly, IT IS HEREBY ORDERED that a district judge be assigned to this case; and
2 IT IS HEREBY RECOMMENDED that this action be dismissed for failure to comply
3 with a court order and failure to state a claim.

4 These findings and recommendations are submitted to the United States District Judge
5 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within thirty days after
6 being served with these findings and recommendations, plaintiff may file written objections with
7 the court and serve a copy on all parties. Such a document should be captioned “Objections to
8 Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file
9 objections within the specified time may waive the right to appeal the District Court’s order.

10 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

11 Dated: May 10, 2021


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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