

1 prosecution. See Fed. R. Civ. P. 41(b) (an involuntary dismissal “operates as an adjudication on
2 the merits,” unless otherwise specified).

3 Accordingly, IT IS HEREBY RECOMMENDED that:

- 4 1. Plaintiff’s original complaint (ECF No. 1) be DISMISSED without prejudice; and
- 5 2. The Clerk of Court be directed to close this case.

6 These findings and recommendations are submitted to the United States District Judge
7 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14)
8 days after being served with these findings and recommendations, any party may file written
9 objections with the court and serve a copy on all parties. Such a document should be captioned
10 “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections
11 shall be served on all parties and filed with the court within fourteen (14) days after service of the
12 objections. Failure to file objections within the specified time may waive the right to appeal the
13 District Court’s order. Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez v. Ylst,
14 951 F.2d 1153 (9th Cir. 1991).

15 Dated: December 8, 2020



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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