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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANSAR EL MUHAMMAD,  
Plaintiff,  
v.  
G. CAMP, et al.,  
Defendants.

No. 2:21-cv-1477 TLN DB P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims that defendants opened his legal mail outside his presence and failed to refer his grievance to internal affairs for further investigation.

By order dated June 20, 2022, the court screened plaintiff's first amended complaint. (ECF No. 12.) The court found plaintiff stated a potentially cognizable retaliation claim against defendant Holmes. (Id. at 7.) The court also found that the complaint did not state any additional claims. (Id. at 5-9.) Plaintiff was given the option to proceed immediately on his retaliation claim against defendant Holmes or to amend the complaint. Plaintiff response stated that he elected to file an amended complaint. (ECF No. 13.)


On July 25, 2022, plaintiff was ordered to file an amended complaint within thirty days. He was advised that failure to comply with the order would result in a recommendation that this action be dismissed. The time for filing an amended complaint has expired and plaintiff has not

1 filed an amended complaint, sought additional time to file an amended complaint, or otherwise  
2 responded to the court's order. Accordingly, the undersigned will recommend that this action be  
3 dismissed for failure to prosecute and failure to comply with court orders.

4 For the reasons set forth above, IT IS HEREBY RECOMMENDED that this action be  
5 dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

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 twenty days  
8 after being served with these findings and recommendations, plaintiff may file written objections  
9 with the court and serve a copy on all parties. Such a document should be captioned "Objections  
10 to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file  
11 objections within the specified time may waive the right to appeal the District Court's order.  
12 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

13 Dated: October 4, 2022

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DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

17 DB:12  
DB/DB Prisoner Inbox/Civil Rights/R/muha1477.fta.fr

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