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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 LOUIE GIANNINI,

12 Plaintiff,

13 v.

14 ROBERT B. BURTON, et al.,

15 Defendants.  
16

No. 2:22-cv-00399-CKD P

ORDER AND

FINDINGS AND RECOMMENDATIONS

17 By order filed October 12, 2022, plaintiff's complaint was dismissed and thirty days leave  
18 to file an amended complaint was granted. The thirty day period has now expired, and plaintiff  
19 has not filed an amended complaint or otherwise responded to the court's order.

20 Accordingly, IT IS HEREBY ORDERED that the Clerk of Court randomly assign this  
21 matter to a district court judge.

22 IT IS FURTHER RECOMMENDED that this action be dismissed without prejudice. See  
23 Local Rule 110; Fed. R. Civ. P. 41(b).

24 These findings and recommendations are submitted to the United States District Judge  
25 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
26 after being served with these findings and recommendations, plaintiff may file written objections  
27 with the court. The document should be captioned "Objections to Magistrate Judge's Findings  
28 and Recommendations." Plaintiff is advised that failure to file objections within the specified

1 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153  
2 (9th Cir. 1991).

3 Dated: November 29, 2022



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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