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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMMY BACHA,
Plaintiff,
v.
CHAVEZ, et al.,
Defendants.

No. 2:22-cv-00652-DJC-CKD P

FINDINGS AND RECOMMENDATIONS

By order filed April 26, 2023, this court directed plaintiff to complete and return to the court, within sixty days, the USM-285 forms necessary to effect service on defendants Martin and Chavez. ECF No. 22. That sixty day period has since passed, and plaintiff has not responded in any way to the court’s order.

IT IS HEREBY RECOMMENDED that defendants Martin and Chavez be dismissed from this action without prejudice.¹ See Fed. R. Civ. P. 41(b).

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections

¹ This case is still proceeding against defendants Lamott and Frietas on Eighth Amendment claims of deliberate indifference to plaintiff’s health and safety. See ECF Nos. 14 (screening order), 25 (Answer by Frietas, Lamott).

1 with the court. The document should be captioned “Objections to Findings and
2 Recommendations.” Plaintiff is advised that failure to file objections within the specified time
3 may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th
4 Cir. 1991).

5 Dated: July 11, 2023



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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