

1 recommendation that this action be dismissed. *Id.*

2 The deadline has passed, and plaintiff has not filed an amended complaint or otherwise
3 responded to the December 8, 2022 order. Accordingly, it is hereby ORDERED that that the
4 Clerk of Court shall randomly assign a United States District Judge to this case.

5 Further, it is hereby RECOMMENDED that:

6 1. This action be dismissed for failure to prosecute and failure to comply with court
7 orders, for the reasons set forth in the December 8, 2022 order.

8 2. The Clerk of Court be directed to close the case.

9 I submit these findings and recommendations to the district judge under 28 U.S.C.
10 § 636(b)(1)(B) and Rule 304 of the Local Rules of Practice for the United States District Court,
11 Eastern District of California. The parties may, within 14 days of the service of the findings and
12 recommendations, file written objections to the findings and recommendations with the court.
13 Such objections should be captioned “Objections to Magistrate Judge’s Findings and
14 Recommendations.” The district judge will review the findings and recommendations under 28
15 U.S.C. § 636(b)(1)(C).

16
17 IT IS SO ORDERED.

18 Dated: January 20, 2023

19 
20 JEREMY D. PETERSON
21 UNITED STATES MAGISTRATE JUDGE
22
23
24
25
26
27
28