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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASON McDERMOTT,  
Plaintiff,  
v.  
SAN JOAQUIN COUNTY SHERIFF,  
Defendants.

No. 2:23-cv-00219 DB P  
  
ORDER AND FINDINGS &  
RECOMMENDATIONS

By order filed April 10, 2023, plaintiff’s complaint was dismissed and thirty days leave to file an amended complaint was granted. Thirty days from that date have now passed, and plaintiff has not filed an amended complaint, or otherwise responded to the court’s order.

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court shall assign a district judge to this case.

In addition, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within thirty (30) days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned

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

4 Dated: May 25, 2023

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7 DEBORAH BARNES  
8 UNITED STATES MAGISTRATE JUDGE

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