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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICK BLACKSHIRE,
Plaintiff,
v.
THE HAUGE, *et al.*,
Defendants.

Case No. 2:23-cv-00531-KJM-JDP (PS)
FINDINGS AND RECOMMENDATIONS
THAT THIS ACTION BE DISMISSED
WITHOUT PREJUDICE FOR FAILURE TO
PROSECUTE AND FAILURE TO COMPLY
WITH A COURT ORDER
OBJECTIONS DUE WITHIN FOURTEEN
DAYS

On November 8, 2023, I screened plaintiff's complaint and notified him that it failed state a claim. ECF No. 5. Plaintiff was granted thirty days to file an amended complaint or a notice of voluntary dismissal. Plaintiff failed to do so. Accordingly, on January 12, 2024, I ordered him to show cause within fourteen days for why this action should not be dismissed for failure to prosecute and failure to comply with a court order. ECF No. 7. Plaintiff was notified that if he wished to continue with this lawsuit, he must file an amended complaint. Plaintiff was also warned that failure to comply with the that order would result in a recommendation that this action be dismissed. *Id.*

1 The deadline has passed, and plaintiff has not filed an amended complaint or otherwise
2 responded to the January 12, 2024 order.

3 Accordingly, it is hereby RECOMMENDED that:

4 1. This action be dismissed without prejudice for failure to prosecute and failure to
5 comply with court orders for the reasons set forth in the January 12, 2024 order.

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

7 These findings and recommendations are submitted to the United States District Judge
8 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
9 after being served with these findings and recommendations, any party may file written
10 objections with the court and serve a copy on all parties. Such a document should be captioned
11 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
12 objections shall be served and filed within fourteen days after service of the objections. The
13 parties are advised that failure to file objections within the specified time may waive the right to
14 appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
15 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

16
17 IT IS SO ORDERED.

18 Dated: February 5, 2024



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE

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