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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	GERALD SPENCE,	No. 2:23-cv-0953 TLN CKD P
12	Plaintiff,	
13	v.	FINDINGS AND RECOMMENDATIONS
14	MCCORKLE, et al.,	
15	Defendants.	
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17	On July 15, 2024, the court was informed in Spence v. Johnson, No. 2:21-cv-0692 DAD	
18	AC P that plaintiff is deceased. Thereafter, the court ordered that any motion to substitute	
19	plaintiffs under Rule 25(a) of the Federal Rules of Civil Procedure must be filed no later than	
20	October 14, 2024. No motion to substitute has been filed. Accordingly, IT IS HEREBY	
21	RECOMMENDED that this action be dismissed.	
22	These findings and recommendations are submitted to the United States District Judge	
23	assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days	
24	after service of these findings and recommendations, any written objections may be filed with the	
25	court. The document should be captioned "Objections to Magistrate Judge's Findings and	
26	Recommendations." Any response to the objections shall be filed and served within fourteen	
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1	days after service of the objections. Failure to file objections within the specified time may waive
2	the right to appeal the District Court's order. <u>Martinez v. Ylst</u> , 951 F.2d 1153 (9th Cir. 1991).
2	Dated: October 23, 2024
	Carop U. Velany
4	CAROLYN K. DELANEY UNITED STATES MAGISTRATE JUDGE
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