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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WAYNE TAYLOR,
Plaintiff,
v.
S. KOUBONG, et al.,
Defendants.

No. 2:24-cv-1871 TLN CSK P

FINDINGS & RECOMMENDATIONS

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. For the following reasons, this Court recommends that this action be dismissed.

On August 27, 2024, this Court dismissed plaintiff’s second amended complaint with thirty days to file a third amended complaint. (ECF No. 18.) On October 3, 2024, this Court granted plaintiff a thirty-day extension of time to file the third amended complaint. (ECF No. 24.) On November 18, 2024, this Court granted plaintiff a second thirty-day extension of time to file the third amended complaint. (ECF No. 26.) On December 30, 2024, this Court denied plaintiff’s third motion for a thirty-day extension of time to file the third amended complaint. (ECF No. 29.) In the December 30, 2024 order, this Court granted plaintiff fourteen days to file the third amended complaint. (Id.) This Court ordered that no further extensions of time to file a third amended complaint would be granted. (Id.) This Court warned plaintiff that failure to file a

1 third amended complaint within that time would result in a recommendation of dismissal of this
2 action. (Id.) Fourteen days passed from December 30, 2024 and plaintiff did not file a third
3 amended complaint.

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

6 These findings and recommendations are submitted to the United States District Judge
7 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
8 after being served with these findings and recommendations, plaintiff may file written objections
9 with the court and serve a copy on all parties. Such a document should be captioned
10 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that
11 failure to file objections within the specified time may waive the right to appeal the District
12 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

13
14 Dated: January 27, 2025

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16 CHI SOO KIM
17 UNITED STATES MAGISTRATE JUDGE

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