

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRANK BRETT,
Plaintiff,
v.
MARK, et al.,
Defendants.

Case No. [3:16-cv-03999-WHO](#)

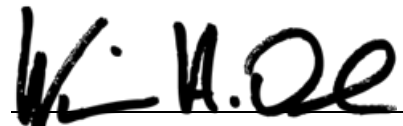
**ORDER DISMISSING FOR FAILURE
TO PROSECUTE**

Re: Dkt. No. 17

On December 9, 2016, I adopted Chief Magistrate Judge Spero's Report and Recommendation and dismissed the complaint with leave to amend pursuant to 28 U.S.C. § 1915(e). Dkt. No. 17. More than four months have passed, and plaintiff has not filed an amended complaint. Accordingly, this action is DISMISSED for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Dated: May 1, 2017



William H. Orrick
United States District Judge