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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

EVA L. DENICOLA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 WOMEN'S SPECIALTY CENTER LLLP, et al., )  
 )  
 DefendantS. )

2:08-cv-01590-JCM-PAL

**REPORT OF FINDINGS AND  
RECOMMENDATION**

Plaintiff Eva L. DeNicola is proceeding in this action *pro se*. Plaintiff filed a Complaint (Dkt. #1) on November 17, 2008. Because the court granted Plaintiff's request to proceed *in forma pauperis*, the court screened the pursuant to 28 U.S.C. § 1915(e). The undersigned found that Plaintiff's Complaint failed to state a claim against Drs. K. Warren Volker and Tammy Kelly-Layton and allowed Plaintiff thirty days to file an amended complaint with regard to these Defendants. Plaintiff has neither filed an amended complaint nor requested an extension of time nor taken any other action to prosecute this case. Plaintiff was warned that failure to comply with the screening order would result in a recommendation to the District Judge that these counts would be dismissed.

Accordingly,

**IT IS THE RECOMMENDATION** of the undersigned United States Magistrate Judge that Plaintiff's claims against Dr. K. Warren Volker and Dr. Tammy Kelly-Layton should be **DISMISSED**.

Dated this 27th day of March, 2009.

  
\_\_\_\_\_  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE

