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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KYONG S. EAGAN,

Plaintiff,

vs.

MEGA MOVING COMPANY,

Defendant.

Case No. 2:09-cv-01376-RCJ-PAL

**REPORT OF FINDINGS AND
RECOMMENDATION**

This matter is before the court on Plaintiff's failure to file an Amended Complaint. On June 29, 2009, Plaintiff filed an Application to Proceed *In Forma Pauperis* (Dkt. #1). On August 12, 2009, the court entered an Order (Dkt. #3) screening Plaintiff's complaint pursuant to 28 U.S.C. § 1915 and finding that it failed to state a claim upon which relief could be granted. The court further directed that Plaintiff's Complaint be dismissed with thirty-day leave to amend, and warned Plaintiff that "Failure to comply with this Order will result in a recommendation to the District Judge that the Complaint be dismissed." Order at 3:23-24. To date, Plaintiff has not filed an Amended Complaint nor sought an extension of time in which to do so.

Accordingly,

IT IS RECOMMENDED that this case be dismissed with prejudice for failure to prosecute.

Dated this 21st day of September, 2009.



PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE