UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL DAVIS,

Plaintiff,

v.

UNKNOWN, et al.,

Defendants.

No. 2:23-cv-2358 KJN P

ORDER & FINDINGS & RECOMMENDATIONS

By order filed November 13, 2023, plaintiff's complaint was dismissed and thirty days leave to file an amended complaint was granted. (ECF No. 14.) On January 2, 2024, the court granted plaintiff a second thirty days extension of time to file an amended complaint. (ECF No. 20.) Thirty days from January 2, 2024 have now passed, and plaintiff has not filed an amended complaint, or otherwise responded to the court's order.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall appoint a district judge to this action; and

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

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections

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with the court and serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: February 8, 2024

CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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