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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HELDA WILSON,

Plaintiff,

v.

R. PERKINSON, et al.,

Defendants.

CASE NO. 1:10-CV-01086-LJO-DLB PC

FINDINGS AND RECOMMENDATIONS
RECOMMENDING DISMISSAL OF ACTION
WITHOUT PREJUDICE

(DOCS. 2, 3)

OBJECTIONS, IF ANY, DUE WITHIN
FOURTEEN DAYS

_____/

Plaintiff, a California state prisoner proceeding pro se, filed this civil action on June 16, 2010. Plaintiff did not pay the \$350.00 filing fee in full or file an application to proceed in forma pauperis, and on June 17, 2010, the Court ordered Plaintiff to do so within forty-five days. Doc. 3. More than forty-five days have passed and Plaintiff has not complied with the Court’s order. Plaintiff was warned that failure to obey the order would result in dismissal of the action. On June 16, 2010, the Court issued an order for Plaintiff either to consent or decline jurisdiction by a magistrate judge in this action. Doc. 2. Plaintiff has also not submitted whether she consents or declines magistrate judge jurisdiction.

A civil action may not proceed absent the submission of either the filing fee or an application to proceed in forma pauperis. 28 U.S.C. §§ 1914, 1915. Because Plaintiff has submitted neither and has not responded to the Court’s order to do so, dismissal of this action is appropriate. *In re Phenylpropanolamine (PPA) Products Liability Litigation*, 460 F.3d 1217, 1226 (9th Cir. 2006); Local Rule 110.

Accordingly, the Court HEREBY RECOMMENDS that this action be dismissed, without

