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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EDDIE J. STREETER, JR.,

Plaintiff,

v.

CDC, VACAVILLE, et al.,

Defendants.

CASE NO. 1:10-cv-01480-AWI-BAM PC

FINDINGS AND RECOMMENDATIONS
RECOMMENDING THIS ACTION BE
DISMISSED FOR FAILURE TO COMPLY
WITH A COURT ORDER

OBJECTIONS DUE WITHIN FIFTEEN DAYS

Plaintiff Eddie J. Streeter, Jr. is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On March 30, 2010, Plaintiff an application to proceed in forma pauperis on the incorrect form. On August 25, 2010, an order issued directing Plaintiff to submit an application to proceed in forma pauperis on the correct form or pay the filing fee within forty five days. Plaintiff was informed that failure to comply with the order would result in the dismissal of this action. More than forty five days have passed and Plaintiff has failed to respond to the Courts order.

Accordingly, it is HEREBY RECOMMENDED that this action be dismissed, without prejudice, for Plaintiff’s failure to comply with a court order.

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within fifteen (15) days after being served with these findings and recommendations, Plaintiff may file written objections with the Court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the

1 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d
2 1153 (9th Cir. 1991).

3 IT IS SO ORDERED.

4 Dated: November 1, 2011

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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