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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL L. CARTER,

Plaintiff,

No. 2:10-cv-0890 KJN P

vs.

ARAMARK FOOD SERVICES, et al.,

Defendants.

ORDER and

FINDINGS AND RECOMMENDATIONS

_____ /

By order filed April 27, 2010, plaintiff was directed to file an in forma pauperis affidavit and/or pay the appropriate filing fee within thirty days and was cautioned that failure to do so may result in a recommendation that this action be dismissed. The thirty day period has expired and plaintiff has not responded to the court’s order nor filed an in forma pauperis affidavit or paid the filing fee.


Accordingly, IT IS HEREBY ORDERED that the Clerk of Court randomly assign a district judge to this case.

Further, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.

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)(1). Within 21 days

1 after being served with these findings and recommendations, plaintiff may file written objections
2 with the court. The document should be captioned "Objections to Magistrate Judge's Findings
3 and Recommendations." Plaintiff is advised that failure to file objections within the specified
4 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153
5 (9th Cir. 1991).

6 DATED: June 18, 2010

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10 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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