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

JOSE LUIS LEDESMA,

Plaintiff,

No. CIV S-10-3353 GGH (TEMP) P

vs.

STATE OF CALIFORNIA,

Defendants.

ORDER AND

FINDINGS AND RECOMMENDATIONS

_____ /

On January 19, 2011, the court ordered plaintiff to file a complaint and pay the filing fee, or file an application to proceed in forma pauperis, within thirty days. Plaintiff was warned that failure to comply with the January 19, 2011 order would result in a recommendation that this matter be dismissed. The thirty day period has now expired, and plaintiff has not complied with the January 19, 2011 order.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court assign a district court judge to this case; 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)(1). Within fourteen-

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

6 DATED: March 2, 2011

7
8 /s/ Gregory G. Hollows

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10 GREGORY G. HOLLOWES
11 UNITED STATES MAGISTRATE JUDGE

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