1	
2	
3	
4	
5	
6	
7	
8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	DAVID H. CHURCHILL,
11	Plaintiff, No. CIV S-11-1968 GGH P
12	VS.
13	CALIFORNIA DEPARTMENT OF
14	CORRECTIONS, et al., <u>ORDER</u> &
15	Defendants. <u>FINDINGS AND RECOMMENDATIONS</u>
16	/
17	Plaintiff is proceeding pro se with a civil rights action. By order filed August 24,
18	2011, the court granted plaintiff twenty-eight days to file an in form pauperis application. The
19	twenty-eight day period has now expired, and plaintiff has not filed an in forma pauperis
20	application or otherwise responded to the court's order. ¹
21	IT IS HEREBY ORDERED that a district judge be assigned to this case.
22	IT IS HEREBY RECOMMENDED that this action be dismissed without
23	prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).
24	
25	
26	¹ The court also notes that the last order sent to plaintiff was returned as undeliverable.
	1

1	These findings and recommendations are submitted to the United States District
2	Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(l). Within
3	fourteen (14) days after being served with these findings and recommendations, plaintiff may file
4	written objections with the court. The document should be captioned "Objections to Magistrate
5	Judge's Findings and Recommendations." Any response to the objections shall be filed and
6	served within fourteen days after service of the objections. Plaintiff is advised that failure to file
7	objections within the specified time may waive the right to appeal the District Court's order.
8	DATED: October 19, 2011
9	/s/ Gregory G. Hollows UNITED STATES MAGISTRATE JUDGE
10	GGH: AB
11	chur1968.dis
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
	2

I