

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

WILLIE WEAVER,

Plaintiff,

No. CIV S-12-0449 GEB DAD P

vs.

DEPUTY FRANCIS et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

_____ /

Plaintiff is a state prisoner proceeding pro se seeking relief pursuant to 42 U.S.C. § 1983. On April 10, 2012, the court denied plaintiff’s motion to proceed in forma pauperis and ordered him to submit, within twenty-one days, the appropriate filing fee. The twenty-one day period has now expired, and plaintiff has not responded to the court’s order and has not paid the appropriate filing fee.

Accordingly, 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 fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such a document should be captioned “Objections to Magistrate

1 Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections
2 within the specified time may waive the right to appeal the District Court's order. Martinez v.
3 Ylst, 951 F.2d 1153 (9th Cir. 1991).

4 DATED: May 10, 2012.

5
6 
7 _____
8 DALE A. DROZD
9 UNITED STATES MAGISTRATE JUDGE

8 DAD:9
9 weav0449.ffee

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26