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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TONY BLACKMAN,  
Plaintiff,  
v.  
K. LAVALLEUR, et al.,  
Defendants.

No. 2:15-cv-1772 GEB AC P

FINDINGS AND RECOMMENDATIONS

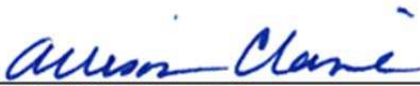
Plaintiff is a state prisoner proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983. By order filed September 23, 2015, this court directed plaintiff, a designated “three-strikes litigant” under 28 U.S.C. § 1915(g), to pay the full filing fee in this action within thirty days in order to proceed. See ECF No. 6. The court informed plaintiff that failure to timely pay the filing fee would result in a recommendation that his action be dismissed without prejudice. Id. at 3. The time for submitting the filing fee has expired. Plaintiff has not submitted the fee or otherwise communicated with the court.

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 this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days after being served with these findings and recommendations, plaintiff may file written objections

1 with the court. Such document should be captioned “Objections to Magistrate Judge’s Findings  
2 and Recommendations.” Plaintiff is advised that failure to file objections within the specified  
3 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153  
4 (9th Cir. 1991).

5 DATED: November 9, 2015

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7 ALLISON CLAIRE  
8 UNITED STATES MAGISTRATE JUDGE  
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