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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

AKIKA PARKER,  
Plaintiff,  
v.  
FACEBOOK, et al.,  
Defendants.

No. 2:16-cv-2011 TLN AC (PS)

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). On September 30, 2016, the court denied plaintiff’s application to proceed in form pauperis (“IFP”) because the application omitted information about plaintiff’s income. ECF No. 4. The court granted plaintiff 30 days to renew the IFP application with all entries on the form completed, or to pay the filing fee. Plaintiff was cautioned that failure to comply could lead to a recommendation that the action be dismissed.

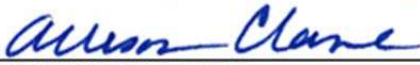
Plaintiff failed to comply with the court’s order. Instead, plaintiff filed requests for entry of default against defendants Facebook and Yahoo. ECF Nos. 5, 7. The requests were properly denied by the Clerk of the Court. ECF Nos. 6, 8.

Therefore, IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for failure to pay the filing fee, for lack of prosecution and for failure to comply with

1 the court's order. See Olivares v. Marshall, 59 F.3d 109, 112 (9th Cir. 1995) (affirming dismissal  
2 for failure to pay partial filing fee under IFP statute); Fed. R. Civ. P. 41(b) (lack of prosecution);  
3 Local Rule 110 (failure to comply with court orders).

4         These findings and recommendations are submitted to the United States District Judge  
5 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one  
6 (21) days after being served with these findings and recommendations, plaintiff may file written  
7 objections with the court. Such document should be captioned "Objections to Magistrate Judge's  
8 Findings and Recommendations." Local Rule 304(d). Plaintiff is advised that failure to file  
9 objections within the specified time may waive the right to appeal the District Court's order.  
10 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

11 DATED: November 8, 2016

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14 ALLISON CLAIRE  
15 UNITED STATES MAGISTRATE JUDGE  
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