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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEAN WAYNE PIERCE,

 Plaintiff,

 v.

P. CHANELO, et al.,

 Defendants.

Case No. 1:13-cv-00376-LJO-DLB PC

**FINDINGS AND RECOMMENDATIONS
RECOMMENDING DISMISSING THIS
ACTION, WITHOUT PREJUDICE, FOR
FAILURE TO OBEY A COURT ORDER**

(ECF No. 4.)

FOURTEEN-DAY DEADLINE

Plaintiff Sean Wayne Pierce (“Plaintiff”) is a California state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. On March 20, 2013, the Court issued an order for Plaintiff to submit an application to proceed in forma pauperis or pay the \$350.00 filing fee within forty-five days. (ECF No. 3.) On May 24, 2013, the Court issued an order to show cause as to why this action should not be dismissed. (ECF No. 4.) The Court forewarned Plaintiff that the failure to respond would result in the dismissal of this action. As of the date of this order, Plaintiff has not responded. Local Rule 110 provides that “failure of counsel or of a party to comply with these Local Rules or with any order of the Court may be grounds for the imposition by the Court of any and all sanctions . . . within the inherent power of the Court.”

Accordingly, it is **HEREBY RECOMMENDED** that Plaintiff this action be dismissed for failure to obey a court order.

These findings and recommendations will be 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 (14) days**

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

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6 IT IS SO ORDERED.

7 Dated: October 8, 2013

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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