

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

11 MAURICE RAYMOND BOUDREAU,
12 Plaintiff,
13 v.
14 COMMISSIONER OF SOCIAL SECURITY,
15 Defendant.

Case No. 1:15-cv-00088-LJO-SAB

FINDINGS AND RECOMMENDATIONS RECOMMENDING DISMISSING ACTION FOR FAILURE TO PAY FILING FEE

OBJECTIONS DUE WITHIN FOURTEEN DAYS

On January 19, 2015, Plaintiff Maurice Raymond Boudreau ("Plaintiff") filed the complaint in this action seeking judicial review of the final decision of Defendant Commissioner of Social Security ("Defendant") denying Plaintiff's application for benefits under the Social Security Act. (ECF No. 1.) On January 21, 2015, Plaintiff was found to be ineligible to proceed without prepayment of fees and was ordered to pay the filing fee within thirty days. Plaintiff was advised that failure to comply with the order would result in this action being dismissed. (ECF No. 4.) More than thirty days have passed and Plaintiff has not paid the filing fee in this action or otherwise responded to the Court's order.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice for Plaintiffs' failure to pay the filing fee in compliance with the January 21, 2015 order of the Court.

These findings and recommendations are submitted to the district judge assigned to this

action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 304. Within fourteen (14) days of service of this recommendation, any party may file written objections to these findings and recommendations with the Court and serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." The district judge will review the magistrate judge's findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to file objections within the specified time may result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

IT IS SO ORDERED.

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Dated: **March 3, 2015**

UNITED STATES MAGISTRATE JUDGE

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