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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 HUSSEIN ALI,

12 Plaintiff,

13 v.

14 HUDSON INSURANCE COMPANY, *et*
15 *al.*,

16 Defendants.

Case No. 1:16-cv-01743-DAD-EPG

**FINDINGS AND
RECOMMENDATIONS
RECOMMENDING THAT PLAINTIFF'S
CASE BE DISMISSED FOR FAILURE
TO PAY THE FILING FEE**

17 Plaintiff Hussein Ali, proceeding *pro se*, filed an application to proceed *in forma*
18 *pauperis* (“IFP”) on November 17, 2016. (ECF No. 2.) That application was denied on January
19 5, 2017 and Plaintiff was directed to pay the required filing fee within 30 days. (ECF No. 6.)
20 Plaintiff was warned that any failure to pay the filing fee would result in dismissal of the action.
21 Plaintiff did not pay the filing fee.

22 As previously explained, a plaintiff must pay the required filing fee before beginning a
23 civil action in federal court. *Pate v. Guiltie*, 2009 WL 3710714, at *1, Case No. CIV S-08-
24 1802-JAM-DAD-PS (E.D. Cal. Nov. 4, 2009), *citing* 28 U.S.C. § 1914(a). Local Rule 110 also
25 provides that “[f]ailure of counsel or of a party to comply with these Rules or with any order of
26 the Court may be grounds for imposition by the Court of any and all sanctions . . . within the
27 inherent power of the Court.” The Court has “the inherent power to control” its docket and
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1 may, in the exercise of that power, “impose sanctions including, where appropriate dismissal of
2 a case.” *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000).

3 Accordingly, IT IS HEREBY RECOMMENDED that this action be DISMISSED
4 WITHOUT PREJUDICE for Plaintiff’s failure to pay the required filing fee and comply with
5 the Court’s order of January 5, 2017.

6 These findings and recommendations will be submitted to the United States District
7 Judge assigned to this case pursuant to the provisions of Title 28 of the United States Code
8 section 636(b)(1). Within **fourteen (14)** days after being served with these findings and
9 recommendations, the parties may file written objections with the Court. The document should
10 be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” The parties
11 are advised that failure to file objections within the specified time may waive the right to appeal
12 the District Court’s order. *Bastidas v. Chappell*, 791 F.3d 1155, 1159 (9th Cir. 2015).

14 IT IS SO ORDERED.

16 Dated: March 2, 2017

16 /s/ Eric P. Gray
17 UNITED STATES MAGISTRATE JUDGE