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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 GUILLERMO TRUJILLO CRUZ,

1:17-cv-00789-AWI-GSA-PC

12 Plaintiff,

**FINDINGS AND RECOMMENDATIONS,
RECOMMENDING THAT THIS CASE
BE DISMISSED, WITHOUT
PREJUDICE, FOR PLAINTIFF'S
FAILURE TO COMPLY WITH
COURT'S ORDER
(ECF No. 11.)**

13 vs.

14 STEBBINS, et al.,

15 Defendants.
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OBJECTIONS, IF ANY, DUE IN 14 DAYS

19 Guillermo Trujillo Cruz ("Plaintiff") is a state prisoner proceeding *pro se* with this civil
20 rights action pursuant to 42 U.S.C. § 1983. On June 12, 2017, Plaintiff filed the Complaint
21 commencing this action. (ECF No. 1.)

22 On July 10, 2018, the court issued an order revoking Plaintiff's *in forma pauperis* status
23 under 28 U.S.C. § 1915(g) and ordered Plaintiff to pay the \$400.00 filing fee for this case in
24 full within thirty days. (ECF No. 11.) The thirty-day deadline has expired, and Plaintiff has
25 not paid the filing fee or otherwise responded to the court's order. Therefore, IT IS HEREBY
26 RECOMMENDED that:

- 27 1. This case be dismissed, without prejudice, based on Plaintiff's failure to comply
28 with the court's order issued on July 10, 2018; and

1 2. The Clerk be directed to close this case.

2 These findings and recommendations are submitted to the United States District Judge
3 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within **fourteen**
4 **(14) days** from the date of service of these findings and recommendations, Plaintiff may file
5 written objections with the court. Such a document should be captioned “Objections to
6 Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file
7 objections within the specified time may result in the waiver of rights on appeal. Wilkerson v.
8 Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394
9 (9th Cir. 1991)).

10 IT IS SO ORDERED.

11 Dated: August 19, 2018

12 /s/ Gary S. Austin
13 UNITED STATES MAGISTRATE JUDGE