## 1 2 3 4 5 UNITED STATES DISTRICT COURT 6 7 EASTERN DISTRICT OF CALIFORNIA 8 9 Case No. 1:18-cv-00424-DAD-JDP DAVID W. WILSON, FINDINGS AND RECOMMENDATIONS 10 Plaintiff, THAT (1) THIS CASE BE DISMISSED FOR 11 PLAINTIFF'S FAILURE TO PAY FILING FEE 12 CALIFORNIA STATE PRISON (2) ALL PENDING MOTIONS BE DENIED CORCORAN, et al., AS MOOT 13 Defendants. ECF Nos. 13, 15, 17, 18, 22. 14 OBJECTIONS, IF ANY, DUE WITHIN 15 FOURTEEN DAYS 16 17 18 Plaintiff David W. Wilson is a state prisoner proceeding pro se in this civil rights action 19 under 42 U.S.C. § 1983. On July 18, 2018, the court denied plaintiff's motion to proceed in 20 forma pauperis and ordered him to pay the \$400 filing fee in full within fourteen days. ECF No. 21 10. Plaintiff failed to pay the filing fee within the allotted time. Accordingly, the undersigned 22 recommends that the court dismiss this case without prejudice and deny all pending motions as 23 moot. 24 The undersigned submits the findings and recommendations to the district judge under 28 25 U.S.C. § 636(b)(1)(B) and Rule 304 of the Local Rules of Practice for the United States District 26 Court, Eastern District of California. Within fourteen days of the service of the findings and 27 recommendations, plaintiff may file written objections to the findings and recommendations with 28

1	the court and serve a copy on all parties. That document should be captioned "Objections to
2	Magistrate Judge's Findings and Recommendations." The district judge will review the findings
3	and recommendations under 28 U.S.C. § 636(b)(1)(C). Plaintiff's failure to file objections within
4	the specified time may result in the waiver of rights on appeal. See Wilkerson v. Wheeler, 772
5	F.3d 834, 838-39 (9th Cir. 2014) (citing <i>Baxter v. Sullivan</i> , 923 F.2d 1391, 1394 (9th Cir. 1991)).
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7	IT IS SO ORDERED.
8	Dated: January 4, 2019
9	UNITED STATES MAGISTRATE JUDGE
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