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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

SALVADOR VASQUEZ,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 1:18-cv-00939-DAD EPG

**FINDINGS AND RECOMMENDATIONS
RECOMMENDING THAT THIS ACTION BE
DISMISSED, WITHOUT PREJUDICE**

**OBJECTIONS, IF ANY, DUE WITHIN
FOURTEEN (14) DAYS**

On July 12, 2018, Salvador Vasquez (“Plaintiff”) commenced this action for review of a decision of the Commissioner of Social Security. (ECF No. 1). Plaintiff also filed an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF No. 2). On July 13, 2018, the Court denied the application. (ECF No. 3). The Court directed Plaintiff to pay the \$400.00 filing fee within 30 days of the date of the order and warned that failure to pay the filing fee will result in dismissal of the action without prejudice. *Id.*

The thirty-day period within which to pay the filing fee has expired, and Plaintiff has failed to pay the filing fee or otherwise respond to the Court’s order.

Accordingly, IT IS HEREBY RECOMMENDED that:

1. This action be dismissed, without prejudice, pursuant to 28 U.S.C. § 1914 for Plaintiff’s failure to pay the required filing fee; and
2. The Clerk of Court be directed to close this case.

These findings and recommendations are 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)

1 days after being served with these findings and recommendations, Plaintiff may file written
2 objections with the court. Such a document should be captioned “Objections to Magistrate
3 Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections
4 within the specified time may result in the waiver of rights on appeal. *Wilkerson v. Wheeler*,
5 772 F.3d 834, 838-39 (9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir.
6 1991)).

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8 IT IS SO ORDERED.

9 Dated: October 25, 2018

10 /s/ Eric P. Gray
11 UNITED STATES MAGISTRATE JUDGE
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