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8	UNITED STAT	TES DISTRICT COURT
9	EASTERN DISTRICT OF CALIFORNIA	
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11	SHERRY BECK,) Case No.: 1:20-cv-00760-SAB (PC)
12	Plaintiff,)) ODDED DIRECTING CLEDK OF COURT TO
13	v.	ORDER DIRECTING CLERK OF COURT TO RANDOMLY ASSIGN A DISTRICT JUDGE TO
14	M. PALLARES, et.al.,) THIS ACTION) FINDINGS AND RECOMMENDATION
15	Defendants.) RECOMMENDING DISMISSAL OF ACTION) FOR FAILURE TO COMPLY WITH A COURT
16) ORDER AND FAILURE TO PROSECUTE
17) (ECF Nos. 5, 6)
18	Plaintiff Sherry Beck is appearing pro se in this civil rights action pursuant to 42 U.S.C. §	
19	1983.	
20	Plaintiff filed the instant action on June 1, 2020. On June 2, 2020, the Court directed Plaintiff	
21	to submit a signed application to proceed in forma pauperis or pay the \$400.00 filing fee within thirty	
22	days. (ECF No. 5.) Plaintiff failed to comply with the Court's order. Therefore, on July 14, 2020, the	
23	Court ordered Plaintiff to show cause within fourteen days why the action should not be dismissed.	
24	(ECF No. 6.) Plaintiff has not filed a response to the order to show cause and the time to do so has	
25	expired. Plaintiff was warned that dismissal would occur if he failed to obey the order.	
26	A civil action may not proceed absent the submission of either the filing fee or a completed	
27	application to proceed in forma pauperis. 28 U.S.C. §§ 1914, 1915. Based on Plaintiff's failure to	
28	comply with the Court's order, dismissal of this action is appropriate. In re Phenylpropanolamine (PPA)	
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1	Products Liability Litigation, 460 F.3d 1217, 1226 (9th Cir. 2006); Local Rule 110.		
2	Accordingly, it is HEREBY ORDERED that the Clerk of Court randomly assign a Fresno		
3	District Judge to this action.		
4	Further, it is HEREBY RECOMMENDED that this action be dismissed, without prejudice, for		
5	failure to pay the filing fee or file a completed application to proceed in forma pauperis.		
6	This Findings and Recommendation will be submitted to the United States District Judge		
7	assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen (14) days		
8	after being served with this Findings and Recommendation, Plaintiff may file written objections with		
9	the Court. The document should be captioned "Objections to Magistrate Judge's Findings and		
10	Recommendation." Plaintiff is advised that failure to file objections within the specified time may		
11	result in the waiver of rights on appeal. <u>Wilkerson v. Wheeler</u> , 772 F.3d 834, 838-39 (9th Cir. 2014)		
12	(citing <u>Baxter v. Sullivan</u> , 923 F.2d 1391, 1394 (9th Cir. 1991)).		
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14	IT IS SO ORDERED.		
15	Dated: August 7, 2020		
16	UNITED STATES MAGISTRATE JUDGE		
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