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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANCISCO TIDWELL,

Plaintiff,

No. CIV S-07-1354 GEB EFB P

vs.

JEFF REISIG, et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

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Plaintiff is a prisoner without counsel suing for alleged civil rights violations. *See* 42 U.S.C. § 1983. On July 27, 2007, the court gave plaintiff 30 days to submit a certified copy of his jail trust account statement, or the institutional equivalent as required by 28 U.S.C. § 1915(a)(2). The court warned him that failure to do so would result in a recommendation that this action be dismissed.

The 30-day period has expired and plaintiff has not filed a *certified* copy of his trust account statement or the institutional equivalent.

It therefore is RECOMMENDED that this action be dismissed without prejudice.

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 twenty days after being served with these findings and recommendations, any party may file written

1 objections with the court and serve a copy on all parties. Such a document should be captioned  
2 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections  
3 within the specified time may waive the right to appeal the District Court’s order. *Turner v.*  
4 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

5 Dated: February 1, 2008.

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8 EDMUND F. BRENNAN  
9 UNITED STATES MAGISTRATE JUDGE  
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