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

HOWARD MAURICE HUDSON, JR.,

Petitioner,

No. CIV S-07-2262 GEB KJM P

vs.

SACRAMENTO COUNTY MAIL JAIL,

Respondent.

FINDINGS & RECOMMENDATIONS

_____/

By an order filed November 26, 2007, petitioner was ordered to file an affidavit in support of his request to proceed in forma pauperis within thirty days and was cautioned that failure to do so would result in a recommendation that this action be dismissed. The thirty day period has now expired, and petitioner has not responded to the court’s order and has not filed an affidavit in support of his request to proceed in forma pauperis. Accordingly, IT IS HEREBY 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, petitioner may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Petitioner is advised that failure to file objections within the

1 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951
2 F.2d 1153 (9th Cir. 1991).

3 DATED: February 1, 2008.

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5 huds2262.fff



U.S. MAGISTRATE JUDGE

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