

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

GREG DODSON,

Plaintiff,

No. CIV S-09-1282 GGH P

vs.

MENDENHALL,

Defendant.

FINDINGS AND RECOMMENDATIONS

_____/

By an order filed June 10, 2009, plaintiff was ordered to file a certified copy of his prisoner trust account statement for the six month period immediately preceding the filing of the complaint 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 plaintiff has not responded to the court's order and has not filed his account statement.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. The Clerk of Court is directed to assign a district judge to 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 twenty days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned

1 “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections
2 shall be served and filed within ten days after service of the objections. The parties are advised
3 that failure to file objections within the specified time may waive the right to appeal the District
4 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

5 DATED: August 19, 2009

6
7 /s/ Gregory G. Hollows

8 UNITED STATES MAGISTRATE JUDGE

9 GGH:035
10 dods1282.fifp
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26