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

DIANNE NELSON,

Plaintiff,

No. CIV S-09-2862 GEB DAD PS

vs.

HILLCREST MOBILE HOME
PARK, et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

_____/

By an order filed October 14, 2009, plaintiff was provided with an in forma pauperis application form and was ordered to return the fully completed form to the court within twenty days. Plaintiff was cautioned that failure to file a timely new application to proceed in forma pauperis will result in a recommendation that this action be dismissed without prejudice. The twenty-day period has now expired, and plaintiff has not filed a properly completed in forma pauperis application or responded in any way to the court's order.

IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice for failure to comply with a court order and failure to prosecute this action. See Fed. R. Civ. P. 41(b); Local Rule 11-110.

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within

1 twenty days after being served with these findings and recommendations, plaintiff may file
2 written objections with the court. A document containing objections should be titled "Objections
3 to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file
4 objections within the specified time may waive the right to appeal the District Court's order. See
5 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 DATED: November 13, 2009.

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10 DALE A. DROZD
11 UNITED STATES MAGISTRATE JUDGE

10 DAD:kw
11 Ddad1\orders.pro se\nelson2862.fifp