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

WILLIE WEAVER,

Plaintiff,

No. CIV S-11-0179 GEB EFB P

vs.

RIO COSUMNES CORRECTIONAL
CENTER,

Defendant.

FINDINGS AND RECOMMENDATIONS

_____/

Plaintiff, a prisoner without counsel, filed a complaint alleging civil rights violations. See 42 U.S.C. § 1983. He also submitted an affidavit requesting leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1). Dckt. No. 7. On March 3, 2011, the court found that plaintiff’s application to proceed *in forma pauperis* failed to include the certified copy of his trust account statement or institutional equivalent required by 28 U.S.C. § 1915(a)(2). The court ordered plaintiff to submit the required trust statement within 30 days and 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 an in forma pauperis affidavit or paid the appropriate filing fee or otherwise responded to that order.

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1 Accordingly, it is hereby RECOMMENDED that this action be dismissed without
2 prejudice.

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
5 after being served with these findings and recommendations, any party may file written
6 objections with the court and serve a copy on all parties. Such a document should be captioned
7 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections
8 within the specified time may waive the right to appeal the District Court’s order. *Turner v.*
9 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

10 Dated: April 20, 2011.

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12 EDMUND F. BRENNAN
13 UNITED STATES MAGISTRATE JUDGE
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