-EFB (PC) Reed v. Messner			
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8	IN THE UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
10	ANDREW G. REED,		
11	Plaintiff,	No. CIV S-11-0283 EFB P	
12	VS.		
13	DAN N. MESSNER,	ORDER AND FINDINGS AND RECOMMENDATIONS	
14	Defendant.	THURINGS AND RECOMMENDATIONS	
15			
16	On February 8, 2011, the court found that plaintiff's application to proceed in forma		
17	pauperis failed to include the certified copy of his trust account statement or institutional		
18	equivalent required by 28 U.S.C. \S 1915(a)(2) . The court ordered plaintiff to submit the		
19	required trust statement within 30 days and warned him that failure to do so would result in a		
20	recommendation that this action be dismissed.		
21	The 30-day period has expired and plaintiff has not filed an in forma pauperis affidavit or		
22	paid the appropriate filing fee or otherwise responded to that order.		
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Doc. 5

Accordingly, it is hereby ORDERED that the Clerk shall randomly assign a United States

District Judge to this case; and

Further, 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)(l). Within fourteen 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 "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections within the specified time may waive the right to appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

Dated: April 5, 2011.

EDMUND F. BRENNAN

UNITED STATES MAGISTRATE JUDGE