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

PATRICK WILLIAMS,

Plaintiff,

No. CIV S-11-0701 DAD P

vs.

THOMPSON, et al.,

Defendants.

ORDER AND

FINDINGS & RECOMMENDATIONS

_____ /

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. By order filed on May 6, 2011, the court vacated its April 6, 2011 order granting plaintiff leave to proceed in forma pauperis and ordering the payment of the initial partial filing fee and other payments by the Director of the California Department of Corrections and Rehabilitation. (Doc. Nos. 4 & 5.) Therein, the court also found plaintiff ineligible to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(g) and ordered plaintiff to pay the \$350.00 filing fee in full within thirty days. That thirty-day period has now expired and plaintiff has not paid the filing fee.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to randomly assign this case to a District Judge.

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1 Also, IT IS HEREBY RECOMMENDED that this action be dismissed without
2 prejudice.

3 These findings and recommendations are submitted to the United States District
4 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen
5 days after being served with these findings and recommendations, plaintiff may file written
6 objections with the court. The document should be captioned “Objections to Magistrate Judge’s
7 Findings and Recommendations.” Plaintiff is advised that failure to file objections within the
8 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951
9 F.2d 1153 (9th Cir. 1991).

10 DATED: June 17, 2011.

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14 DALE A. DROZD
15 UNITED STATES MAGISTRATE JUDGE
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