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

DAVID H. CHURCHILL,

Plaintiff,

No. CIV S-11-1968 GGH P

vs.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

ORDER &

FINDINGS AND RECOMMENDATIONS

_____ /

Plaintiff is proceeding pro se with a civil rights action. By order filed August 24, 2011, the court granted plaintiff twenty-eight days to file an in form pauperis application. The twenty-eight day period has now expired, and plaintiff has not filed an in forma pauperis application or otherwise responded to the court's order.¹

IT IS HEREBY ORDERED that a district judge be assigned to this case.

IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

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¹ The court also notes that the last order sent to plaintiff was returned as undeliverable.

