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

REMON SHIELDS,

Plaintiff,

No. CIV S-12-0126 KJM CKD P

vs.

S.M. PHELPS, et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

_____/

On February 17, 2012, plaintiff was ordered to pay the filing fee for this action within 21 days and was cautioned that failure to do so would result in a recommendation that this action be dismissed. The 21 day period has expired and plaintiff has not paid the filing fee. Accordingly, 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)(1). Within twenty-one days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections

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1 within the specified time may waive the right to appeal the District Court's order. Martinez v.
2 Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 Dated: March 19, 2012

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5 CAROLYN K. DELANEY
6 UNITED STATES MAGISTRATE JUDGE

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