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

10 ROBERT VASQUEZ,

11 Plaintiff,

No. 2:12-cv-2562 JAM CKD P

12 vs.

13 STATE OF CALIFORNIA, et al.,

14 Defendants.

FINDINGS AND RECOMMENDATIONS

15 _____/
16 By order filed February 15, 2013, plaintiff was granted thirty days to file a
17 certified copy of his prison trust account statement for the six-month period immediately
18 preceding the filing of the complaint. (Dkt. No. 24, citing 28 U.S.C. § 1915(a)(2).) In similar
19 orders filed October 17, 2012 and January 25, 2013, plaintiff was advised that failure to file a
20 complete application to proceed in forma pauperis, including a certified copy of his trust account
21 statement, would result in a recommendation that this action be dismissed without prejudice.
22 (Dkt. Nos. 12, 20.)

23 Plaintiff's most recent thirty-day period to file a certified statement has expired,
24 and while he has filed various documents, they do not include a certified trust account statement.
25 As plaintiff has had ample opportunity to file a certified statement and failed to do so, the
26 undersigned will recommend that this action be dismissed without prejudice.

1 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed
2 without 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, 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.” Any reply to the objections
8 shall be served and filed within fourteen days after service of the objections. The parties are
9 advised that failure to file objections within the specified time may waive the right to appeal the
10 District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

11 Dated: April 11, 2013

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13 CAROLYN K. DELANEY
14 UNITED STATES MAGISTRATE JUDGE

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