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

TREMAYNE D. CARROLL,

Plaintiff,

No. 2:12-cv-2584 DAD P

vs.

EDMUND G. BROWN, et al.,

Defendants.

ORDER AND

FINDINGS AND RECOMMENDATIONS

_____ /

By an order filed October 23, 2012, plaintiff was ordered to file a properly completed application to proceed in forma pauperis and was cautioned that failure to do so, or to seek an extension of time to do so, would result in a recommendation that this action be dismissed. The thirty day period has now expired, and plaintiff has not responded in any way to the to the court’s order and has not filed a properly completed in forma pauperis application.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign this action to a United States District Judge; and

IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 11-110; Fed. R. Civ. P. 41(b).

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 fourteen

1 days after being served with these findings and recommendations, plaintiff may file written
2 objections with the court. The document should be captioned "Objections to Magistrate Judge's
3 Findings and Recommendations." Any response to the objections shall be filed and served
4 within fourteen days after service of the objections. Plaintiff is advised that failure to file
5 objections within the specified time may waive the right to appeal the District Court's order.
6 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

7 DATED: December 7, 2012.

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11 DALE A. DROZD
12 UNITED STATES MAGISTRATE JUDGE

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