

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

DANIEL DuPONT,

Petitioner,

No. 2:13-cv-00606 DAD P

vs.

V. SINGH,

Respondent.

ORDER AND

FINDINGS & RECOMMENDATIONS

_____ /

By an order filed April 4, 2013, petitioner was ordered to submit the appropriate filing fee or file an application to proceed in forma pauperis within thirty days and was cautioned that failure to do so would result in the dismissal of this action. The thirty day period has now expired, and petitioner has not responded to the court's order and has not submitted the filing fee or filed an application to proceed in forma pauperis.

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

Also, 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 fourteen

1 days after being served with these findings and recommendations, petitioner 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 within fourteen
4 days after service of the objections. Petitioner is advised that failure to file objections within the
5 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951
6 F.2d 1153 (9th Cir. 1991).

7 DATED: May 13, 2013.

8
9 
10 _____
11 DALE A. DROZD
12 UNITED STATES MAGISTRATE JUDGE

11 DAD:4
12 dupo606.fifp