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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MAURICE VAN BUREN,  
Plaintiff,  
v.  
DOUGLAS ECKGAURD,  
Defendant.

No. 2:13-cv-01916 DAD P

ORDER AND  
FINDINGS & RECOMMENDATIONS

By order filed September 23, 2013, plaintiff's complaint was dismissed and thirty days leave to file an amended complaint was granted. Plaintiff was also granted thirty days to either pay the filing fee or to submit an application to proceed in forma pauperis. Thirty days from that date have now passed, and plaintiff has not filed an amended complaint, submitted the filing fee or application to proceed in forma pauperis, or otherwise responded to the court's order.

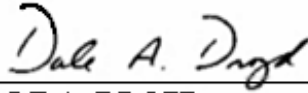
Accordingly, IT IS HEREBY ORDERED that this case be randomly assigned to a District Judge.

Also, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 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 days after being served with these findings and recommendations, plaintiff may file written objections

1 with the court. The document should be captioned "Objections to Magistrate Judge's Findings  
2 and Recommendations." Plaintiff is advised that failure to file objections within the specified  
3 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153  
4 (9th Cir. 1991).

5 Dated: October 21, 2013

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8 DALE A. DROZD  
9 UNITED STATES MAGISTRATE JUDGE

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