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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 VIRGIL RANDALL,

12 Plaintiff,

13 v.

14 UNKNOWN,

15 Defendant.
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No. 2:13-cv-2018 CKD P

ORDER AND

FINDINGS AND RECOMMENDATIONS

17 On October 1, 2013, plaintiff was ordered to file a completed application to proceed in
18 forma pauperis or pay the filing fee within thirty days and was cautioned that failure to do so
19 would result in a recommendation that this action be dismissed. The thirty day period has now
20 expired, and plaintiff has not responded to the court's order.

21 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court assign a district
22 court judge to this case; and

23 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.

24 These findings and recommendations are submitted to the United States District Judge
25 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
26 after being served with these findings and recommendations, any party may file written
27 objections with the court and serve a copy on all parties. Such a document should be captioned
28 "Objections to Magistrate Judge's Findings and Recommendations." Any response to the

1 objections shall be served and filed within fourteen days after service of the objections. The
2 parties are advised that failure to file objections within the specified time may waive the right to
3 appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

4 Dated: November 14, 2013


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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