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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HORTENSE WHITE,
Petitioner,
v.
MARITA BUNZUELA,
Respondent.

No. 2:14-cv-0671 CKD P

ORDER AND
FINDINGS AND RECOMMENDATIONS

By an order filed April 4, 2014, petitioner was ordered to either file a completed in forma pauperis application or pay the filing fee for this action within thirty days. She was cautioned that failure to do so would result in a recommendation that this action be dismissed. (ECF No. 16.) The thirty day period has now expired, and while petitioner has filed numerous documents in this action, including five purported motions to proceed in forma pauperis (ECF Nos. 24, 31, 34, 42, 43)¹, she has not filed a completed application or paid the filing fee.

Twice, petitioner has been ordered to pay the filing fee or submit a completed IFP application to proceed with this action (ECF Nos. 6, 16), and has failed to do so. Thus the court will recommend that this action be dismissed without prejudice.

¹ Four of these applications consist of in forma pauperis forms not used by this court. None include a certified copy of petitioner's prison trust account statement for the past six months, and none of petitioner's affidavits are certified by an authorized prison official. (See ECF No. 16 at 1.)

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Accordingly, IT IS HEREBY ORDERED that:

- 1. Petitioner’s motions to proceed in forma pauperis (ECF Nos. 24, 31, 34, 42, 43) are denied; and
- 2. The Clerk of Court shall assign a district judge to this action.

IT IS HEREBY RECOMMENDED THAT this action be dismissed without prejudice and this case closed.

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

Dated: May 8, 2014



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE