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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANNETTE McKEE,
Plaintiff,
v.
COLLEEN MYRATAKIS,
Defendant.

No. 2:14-cv-1536-KJM-EFB PS

FINDINGS AND RECOMMENDATIONS

This case, in which plaintiff is proceeding in propria persona, was referred to the undersigned under Local Rule 302(c)(21), pursuant to 28 U.S.C. § 636(b)(1). Plaintiff filed her complaint on June 30, 2014, but failed to pay the fee required to file an action in this court or submit an application to proceed without prepayment of fees. *See* 28 U.S.C. §§ 1914(a), 1915(a).

On July 3, 2014, the court granted plaintiff thirty days to file either the appropriate filing fee or an application to proceed in forma pauperis. Pursuant to that order, the clerk served plaintiff with new forms for proceeding in forma pauperis. That order warned plaintiff that failure to comply with the order would result in a recommendation that this action be dismissed without prejudice.

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The thirty day period has now expired, and plaintiff has not responded to the court’s order and has not filed an in forma pauperis affidavit or paid the appropriate filing fee.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice, and the Clerk be directed to close the case.

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 ten days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections within the specified time may waive the right to appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

DATED: August 19, 2014.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE