1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 JASON SHAWN HUGHES, No. 2:14-cv-1550-KJM-EFB P 12 Plaintiff. 13 FINDINGS AND RECOMMENDATIONS v. 14 DESIREE VANCE, et al., 15 Defendants. 16 17 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 18 U.S.C. § 1983. On July 3, 2014, the court ordered plaintiff to, within 30 days, pay the \$400 filing 19 fee required by 28 U.S.C. § 1914(a) or request leave to proceed in forma pauperis and submit the 20 affidavit and trust account statement required by 28 U.S.C. § 1915(a). That order warned plaintiff 21 that failure to comply with the order would result in a recommendation of dismissal. The time for 22 acting has passed and plaintiff has not paid the filing fee, requested leave to proceed in forma 23 pauperis, or otherwise responded to the court's order. 24 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without 25 prejudice. 26 These findings and recommendations are submitted to the United States District Judge 27 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days 28 after being served with these findings and recommendations, any party may file written 1

| 1  | objections with the court and serve a copy on all parties. Such a document should be captioned       |
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| 2  | "Objections to Magistrate Judge's Findings and Recommendations." Any response to the                 |
| 3  | objections shall be served and filed within fourteen days after service of the objections. The       |
| 4  | parties are advised that failure to file objections within the specified time may waive the right to |
| 5  | appeal the District Court's order. Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez     |
| 6  | v. Ylst, 951 F.2d 1153 (9th Cir. 1991).  |
| 7  | DATED: August 7, 2014.   |
| 8  | EDMUND F. BRENNAN  |
| 9  | UNITED STATES MAGISTRATE JUDGE   |
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