

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

J. DOUGLAS HALFORD,  
Petitioner,  
v.  
THE PEOPLE,  
Respondent.

No. 2:14-cv-1827 AC P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Petitioner, a state prisoner at California Medical Facility, has filed a document styled as a “motion” seeking an extension of time to file an application for writ of habeas corpus. On August 12, 2014, the court granted petitioner 30 days to file a petition for writ of habeas corpus, or suffer dismissal of this matter. The same day, the Clerk of the Court sent petitioner the court’s form for filing a petition for writ of habeas corpus, and the application to proceed in forma pauperis by a prisoner.

Petitioner has not filed a petition nor given any explanation for his failure to do so.

Accordingly, IT IS HEREBY ORDERED that the Clerk randomly assign a district court judge to this case.

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

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 twenty-one days

1 after being served with these findings and recommendations, plaintiff may file written objections  
2 with the court. The document should be captioned "Objections to Magistrate Judge's Findings  
3 and Recommendations." Failure to file objections within the specified time may waive the right  
4 to appeal the District Court's order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

5 DATED: January 26, 2015

6   
7 \_\_\_\_\_  
8 ALLISON CLAIRE  
9 UNITED STATES MAGISTRATE JUDGE  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28