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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 MAXIMILLIANO MENDEZ,

No. 2:14-cv-02267 AC

12 Plaintiff,

13 v.

ORDER & FINDINGS AND
RECOMMENDATIONS

14 J. MACOMBER, et al.,

15 Defendants.
16

17 By an order filed October 27, 2014 (ECF No. 6) plaintiff was ordered to file an in forma
18 pauperis affidavit within thirty days and was cautioned that failure to do so would result in a
19 recommendation that this action be dismissed. The thirty day period has now expired, and
20 plaintiff has not responded to the court's order and has not filed an in forma pauperis affidavit.

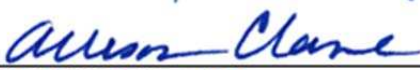
21 IT IS HEREBY ORDERED that the Clerk randomly assign a district court judge to this
22 case.

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 twenty-one (21)
26 days 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 filed and served 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: December 16, 2014

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6 ALLISON CLAIRE
7 UNITED STATES MAGISTRATE JUDGE
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