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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   RAYMOND TATE,   No. 2:14-cv-2917 CKD P

12   Petitioner,

13   v.   ORDER AND

14   UNKNOWN,   FINDINGS AND RECOMMENDATIONS

15   Respondent.

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17   By an order filed December 22, 2014, petitioner was ordered to file a request to proceed in

18   forma pauperis or to pay the appropriate filing fee, within thirty days, or his petition for writ of

19   habeas corpus would be dismissed. The thirty day period has now expired, and petitioner has not

20   responded to the court's order. Accordingly, IT IS HEREBY ORDERED that the Clerk of the

21   Court assign a district court judge to this case and IT IS HEREBY RECOMMENDED that this

22   action be dismissed without prejudice.

23   These findings and recommendations are submitted to the United States District Judge

24   assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days

25   after being served with these findings and recommendations, petitioner may file written

26   objections with the court. The document should be captioned "Objections to Magistrate Judge's

27   Findings and Recommendations." Petitioner is advised that failure to file objections within the

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1 specified time may waive the right to appeal the District Court's order. <u>Martinez v. Ylst</u>, 951

2 F.2d 1153 (9th Cir. 1991).

3 Dated: February 3, 2015

   _____
   CAROLYN K. DELANEY
   UNITED STATES MAGISTRATE JUDGE

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