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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DENNIS G. CLAIBORNE,
Plaintiff,
v.
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,
Defendants.

No. 2:15-cv-0710 JAM CKD P

FINDINGS AND RECOMMENDATIONS

By order filed December 22, 2015, plaintiff was ordered to pay the filing fee in this action within fourteen days to avoid dismissal. (ECF No. 28.) Plaintiff sought reconsideration of the order, which was affirmed by the district court on February 18, 2016. (ECF No. 32.) To date, plaintiff has not paid the filing fee.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

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 fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified

1 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153
2 (9th Cir. 1991).

3 Dated: March 7, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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