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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HURSEL FLOYD MITCHELL,

Plaintiff,

v.

SACRAMENTO COUNTY
BEHAVIORAL HEALTH,

Defendant.

No. 2:15-cv-00744 KJM AC (PS)

FINDINGS AND RECOMMENDATIONS

By an order filed April 29, 2015, plaintiff was ordered to file a second in forma pauperis affidavit AND/OR pay the appropriate filing fees, within twenty (20) days, and was cautioned that failure to do so would result in a recommendation that this action be dismissed without prejudice. ECF No. 3. The twenty day period has now expired, and plaintiff has not responded to the court's order, has not filed another in forma pauperis affidavit, and has not paid the appropriate filing fee.

Accordingly, 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 (21) days after being served with these findings and recommendations, any party may file written

1 objections with the court and serve a copy on all parties. Such a document should be captioned
2 “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections
3 shall be served and filed within fourteen days after service of the objections. The parties are
4 advised that failure to file objections within the specified time may waive the right to appeal the
5 District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 DATED: June 22, 2015

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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