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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MIGUEL ENRIQUE DIAZ,
Plaintiff,
v.
ASSOCIATE WARDEN HULEY, et al.,
Defendants.

No. 2:15-cv-2083 KJM KJN P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner, proceeding pro se. By an order filed January 24, 2018, the October 30, 2017 findings and recommendations were adopted, and plaintiff was ordered to pay the \$400.00 filing fee within twenty-one days. Twenty-one days have now passed, and plaintiff has not responded to the court’s order and has not paid the filing fee.

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 fourteen days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the objections shall be filed and served within fourteen days after service of the objections. The

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1 parties are advised that failure to file objections within the specified time may waive the right to
2 appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 Dated: March 1, 2018

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6 KENDALL J. NEWMAN
7 UNITED STATES MAGISTRATE JUDGE

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