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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL OVERTON,  
Plaintiff,  
v.  
M. RAMOS, et al.,  
Defendants.

No. 2:16-cv-1125 CKD P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

On May 27, 2016, plaintiff was ordered to file a completed application to proceed in forma pauperis or pay the filing fee within thirty days and was cautioned that failure to do so would result in dismissal. The thirty day period has now expired and plaintiff has not complied with the court’s May 27, 2016 order.

Accordingly, it is hereby ORDERED that the Clerk of the Court shall randomly assign a United States District Judge to this action.

Further, it is hereby RECOMMENDED that this action be dismissed without prejudice.

These findings and recommendations will be 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 Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time

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

3 Dated: July 13, 2016



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**CAROLYN K. DELANEY**  
**UNITED STATES MAGISTRATE JUDGE**

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