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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	GERALD THOMAS,	No. 2:16-cv-1199 CKD P
12	Petitioner,	
13	v.	ORDER &
14	UNKNOWN,	FINDINGS AND RECOMMENDATIONS
15	Respondent.	
16		
17	By an order filed June 28, 2016, petitioner was ordered to either file an in forma pauperis	
18	affidavit or pay the appropriate filing fee within thirty days, or this action would be dismissed.	
19	The thirty day period has now expired, and petitioner has neither filed an in forma pauperis	
20	affidavit nor paid the appropriate filing fee.	
21	Accordingly, IT IS HEREBY ORDERED that the Clerk of Court shall assign a district	
22	judge to this action.	
23	IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See	
24	Local Rule 110; Fed. R. Civ. P. 41(b).	
25	These findings and recommendations are submitted to the United States District Judge	
26	assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days	
27	after being served with these findings and rec	commendations, any party may file written
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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 parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). Dated: August 10, 2016 UNITED STATES MAGISTRATE JUDGE 2 / thom1199.fpf.hab