

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD JOSE DUPREE, JR.,  
Plaintiff,  
v.  
ANDREA DENNEY,  
Defendant.

No. 2:16-cv-1271 CKD P

ORDER &  
FINDINGS AND RECOMMENDATIONS

On July 26, 2016, plaintiff, a Three Strikes litigant, was ordered to pay the filing fee within fourteen days or face dismissal of this action. (ECF No. 4.) That period has now expired, and plaintiff has not responded to the court’s order.

Accordingly, IT IS HEREBY ORDERED that the Clerk of Court assign a district judge to this action.

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. Such a 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: August 26, 2016



---

CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

4  
5  
6  
7  
8 2 / dupr1271.1915(g)  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28