

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

FABIAN KHAMO,
Plaintiff,
v.
WARDEN OF CSP-SAC, et al.,
Defendants.

No. 2:16-cv-1827-EFB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On August 12, 2016, the court ordered plaintiff to, within 30 days, submit either the filing fee or the application to proceed in forma pauperis required by § 1915(a). That order warned plaintiff that failure to comply with the order would result in a recommendation of dismissal. The time for acting has passed and plaintiff has not submitted the filing fee or an application for leave to proceed in forma pauperis.


Accordingly, it is hereby ORDERED that the Clerk randomly assign this case to a United States District Judge.

Further, 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

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 response to the
3 objections shall be served and filed within fourteen days after service of the objections. The
4 parties are advised that failure to file objections within the specified time may waive the right to
5 appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
6 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

7 DATED: September 15, 2016.

8 
9 EDMUND F. BRENNAN
10 UNITED STATES MAGISTRATE JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28