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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDGAR MARTINEZ, Sr.,  
Plaintiff,  
v.  
RIO CONSUMNES CORRECTIONAL  
CENTER, et al.,  
Defendants.

No. 2:16-cv-2590 DB P

FINDINGS AND RECOMMENDATIONS

By order filed December 20, 2016, plaintiff was ordered to show cause, within twenty days, why this action should not be dismissed for his failure to file a completed affidavit and a trust account statement in support of his request to proceed in forma pauperis. The twenty day period has now expired, and plaintiff has not shown cause or otherwise responded to the court's order.

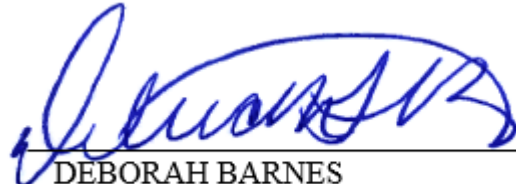
Because plaintiff has not consented to the jurisdiction of the undersigned, the Clerk of the Court IS HEREBY ORDERED to assign a district judge to this case.

For the foregoing reasons, 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

1 after being served with these findings and recommendations, plaintiff may file written objections  
2 with the court. The document should be captioned "Objections to Magistrate Judge's Findings  
3 and Recommendations." Plaintiff is advised that failure to file objections within the specified  
4 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153  
5 (9th Cir. 1991).

6 Dated: January 19, 2017

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9 DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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