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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRANDON T. BARNES,
Plaintiff,
v.
UNKNOWN,
Defendant.

No. 2:16-cv-2606 AC P
ORDER AND FINDINGS AND
RECOMMENDATIONS

By an order filed November 9, 2016, plaintiff was ordered to file a completed in forma pauperis application or pay the filing fee, and was cautioned that failure to do so would result in a recommendation that this action be dismissed. ECF No. 3. After he failed to comply with the order, plaintiff was given an additional thirty days to submit an application to proceed in forma pauperis or pay the filing fee and reminded that failure to comply would result in a recommendation that this action be dismissed. ECF No. 4. The thirty day period has now expired and plaintiff has not complied with or otherwise responded to the order.


In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

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

1 after being served with these findings and recommendations, plaintiff may file written objections
2 with the court. Such a 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: February 9, 2017

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8 ALLISON CLAIRE
9 UNITED STATES MAGISTRATE JUDGE
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