

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

CHAKA GILBERT,  
Plaintiff,  
v.  
UNKNOWN,  
Defendant.

No. 2:17-cv-0708-EFB P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Plaintiff is civilly committed and proceeding without counsel in civil action. On April 10, 2017, 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). ECF No. 4. 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: May 24, 2017.

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