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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NICOLE D. PRATER,  
Plaintiff,  
v.  
MEDLINE, et al.,  
Defendant.

No. 2:17-cv-01079-MCE-CKD (PS)

FINDINGS AND RECOMMENDATIONS

On August 24, 2017, the court denied plaintiff’s application to proceed in forma pauperis. (ECF No. 3.) Plaintiff was ordered to pay the filing fees within fourteen days. (Id.) She was “cautioned that failure to pay the filing and general administrative fees in the amount of \$400 will result in a recommendation that the application to proceed in forma pauperis be denied and the instant action be dismissed without prejudice.” (Id.) Plaintiff has failed to pay the fees. As such, it appears that plaintiff has chosen to abandon this action, and dismissal is appropriate.

Accordingly, IT IS HEREBY RECOMMENDED that:

1. The action be dismissed without prejudice for failure to follow the court’s order.
2. The Clerk of Court be directed to close this case.

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.” Failure to file objections  
3 within the specified time may waive the right to appeal the District Court’s order. Martinez v.  
4 Ylst, 951 F.2d 1153 (9th Cir. 1991).

5 Dated: October 2, 2017



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

8 14/ps.17-1079,prater.f&R dismissal

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