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7	UNITED STATES DISTRICT COURT	
8	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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10	WILLIE WEAVER,	No. 2:17-cv-1107-MCE-EFB P
11	Plaintiff,	
12	v.	FINDINGS AND RECOMMENDATIONS
13	CALIFORNIA STATE PRISON,	
14	SACRAMENTO, et al.,	
15	Defendants.	
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17	Plaintiff is a state prisoner proceeding without counsel in an action brought under 42	
18	U.S.C. § 1983. On June 6, 2017, the court found that plaintiff had failed to pay the \$400 filing	
19	fee required by 28 U.S.C. § 1914(a) or request leave to proceed in forma pauperis and submit the	
20	affidavit and trust account statement required by 28 U.S.C. § 1915(a). Accordingly, the court	
21	ordered plaintiff to submit either the filing fee or the application required by § 1915(a) within	
22	thirty days and warned him that failure to do so may result in this action being dismissed. ECF	
23	No. 3. The time for acting has passed and plaintiff has not paid the filing fee, submitted an	
24	application for leave to proceed in forma pauperis or otherwise responded to the court's order.	
25	Accordingly, it is RECOMMENDED that this action be dismissed without prejudice.	
26	These findings and recommendations are submitted to the United States District Judge	
27	assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days	
28	after being served with these findings and rec	commendations, 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: July 26, 2017.	
8	EDMUND F. BRENNAN	
9	UNITED STATES MAGISTRATE JUDGE	
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