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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH GRIMES,
Plaintiff,
v.
M. GROSSJAN,
Defendant.

No. 2:17-cv-2394 DB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. § 1983. On November 14, 2017, plaintiff filed an application to proceed in forma pauperis. (ECF No. 2.) However, plaintiff failed to sign the application. In an order filed November 17, 2017, the court ordered plaintiff to file a signed application or pay the \$400 filing fee within thirty days. Plaintiff was provided a new copy of the Application to Proceed In Forma Pauperis by a Prisoner. Plaintiff was warned that if he failed to comply with the November 17 order, this court would recommend dismissal of this action.

Plaintiff has not filed a signed application to proceed in forma pauperis or paid the filing fee.

Accordingly, the Clerk of the Court is HEREBY ORDERED to assign a district judge to this case; and

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1 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See
2 Fed. R. Civ. P. 41; E.D. Cal. R. 110.

3 These findings and recommendations will be submitted to the United States District
4 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen
5 days after being served with these findings and recommendations, plaintiff may file written
6 objections with the court. The document should be captioned "Objections to Magistrate Judge's
7 Findings and Recommendations." Plaintiff is advised that failure to file objections within the
8 specified time may result in waiver of the right to appeal the district court's order. Martinez v.
9 Ylst, 951 F.2d 1153 (9th Cir. 1991).

10 Dated: January 5, 2018

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13 DEBORAH BARNES
14 UNITED STATES MAGISTRATE JUDGE

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19 DLB1/prisoner-civil rights/grim2394.fta

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