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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TODD BAILEY,

 Plaintiff,

 v.

UNKNOWN,

 Defendant.

No. 2:17-cv-2577 AC P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff, a state prisoner proceeding pro se, filed a document captioned “complaint of crimes” on December 8, 2017. ECF No. 1. The filing was not presented on the court’s form used to file a civil rights action, and it was difficult to understand. See id. Plaintiff appears to allege that someone was plotting against him and his family and was trying to kill him. Id. at 1.

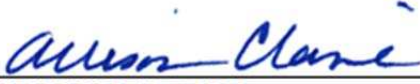
On January 12, 2018, the undersigned determined that the document did not constitute a pleading sufficient to commence an action. See ECF No. 4 at 1. Accordingly, the court denied the “complaint of crimes” without prejudice and ordered plaintiff to file a complaint that complied with the Civil Rights Act, the Federal Rules of Civil Procedure, and the Local Rules of Practice. Id. at 2. Plaintiff was also directed to file an in forma pauperis application. Id. The Clerk of Court was directed to send plaintiff the court’s forms for a civil rights complaint and application to proceed in forma pauperis. Id. Thirty days have passed, and plaintiff has not filed either document, nor has he responded to the court’s order in any other way.

1 Accordingly, IT IS HEREBY ORDERED that the Clerk of Court randomly assign a
2 United States District Judge to this action.

3 IT IS FURTHER RECOMMENDED that this action be dismissed without prejudice for
4 failure to prosecute. See Local Rule 110; Fed. R. Civ. P. 41(b).

5 These findings and recommendations are submitted to the United States District Judge
6 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
7 after being served with these findings and recommendations, plaintiff may file written objections
8 with the court. Such a document should be captioned “Objections to Magistrate Judge’s Findings
9 and Recommendations.” Plaintiff is advised that failure to file objections within the specified
10 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153
11 (9th Cir. 1991).

12 DATED: April 11, 2018

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14 ALLISON CLAIRE
15 UNITED STATES MAGISTRATE JUDGE
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