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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RODNEY JEROME WOMACK,
Plaintiff,
v.
DAVID BAUGHMAN, et al.,
Defendants.

No. 2:17-cv-2708 TLN KJN P

FINDINGS AND RECOMMENDATIONS

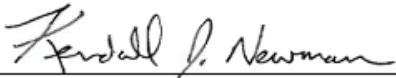
Plaintiff has sustained three strikes under 28 U.S.C. § 1915(g). (ECF No. 11.) On April 18, 2019, plaintiff was ordered to pay, within twenty-one days, the appropriate filing fee, and was cautioned that failure to do so would result in a recommendation that this action be dismissed. Plaintiff sought reconsideration, which was denied by the district court on August 26, 2019, and plaintiff was granted 21 days in which to pay the appropriate filing fee. That time period has now expired, and plaintiff has not paid the court’s filing fee, or otherwise responded to the court’s order.

Accordingly, 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 filed and served 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. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 Dated: September 25, 2019

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8 _____
9 KENDALL J. NEWMAN
10 UNITED STATES MAGISTRATE JUDGE

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