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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHALLA ALFARO BRITTANY,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

No. 2:18-cv-0926-KJN

ORDER AND
FINDINGS AND RECOMMENDATIONS

On May 1, 2018, the court denied plaintiff's motion to proceed *in forma pauperis*, and directed plaintiff to pay the applicable filing fee within 28 days. (ECF No. 3.) Plaintiff was expressly cautioned that failure to timely pay the filing fee may result in dismissal of the action pursuant to Federal Rule of Civil Procedure 41(b). (Id.)

Although the deadline has now long passed, plaintiff failed to pay the filing fee or request an extension of time to do so. As such, it appears that plaintiff has abandoned prosecution of this action, and that dismissal of the action without prejudice is appropriate.

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

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IT IS ALSO HEREBY RECOMMENDED that:

1. The action be DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b).
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 (14) days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections shall be served on all parties and filed with the court within fourteen (14) days after service of the objections. The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez v. Ylst, 951 F.2d 1153, 1156-57 (9th Cir. 1991).

IT IS SO ORDERED AND RECOMMENDED.

Dated: June 25, 2018


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE