1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 No. 2:18-cv-1154 DB P DAVID LEONARD BAKER, 12 Petitioner. 13 v. ORDER AND FINDINGS AND 14 MUNIZ, 15 Respondents. 16 17 By order dated November 26, 2018, petitioner was ordered to file an in forma pauperis 18 affidavit or to pay the appropriate filing fee, within thirty days, or his petition would be 19 dismissed. (ECF No. 5.) Those thirty days have now expired, and petitioner has not filed an in 20 forma pauperis affidavit, has not paid the appropriate filing fee, or otherwise responded to the 21 court's order. 22 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall randomly assign a district judge to this action. 23 24 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. These findings and recommendations are submitted to the United States District Judge 25 26 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days 27 after being served with these findings and recommendations, petitioner may file written

objections with the court. The document should be captioned "Objections to Magistrate Judge's

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1	Findings and Recommendations." Petitioner is advised that failure to file objections within the
2	specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951
3	F.2d 1153 (9th Cir. 1991).
4	Dated: January 18, 2019
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7	DEBORAH BARNES UNITED STATES MAGISTRATE JUDGE
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