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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARNOLD RAY ECKLUND,

Plaintiff,

v.

FRAZZIER, et al.,

Defendants.

No. 2:18-cv-1247-EFB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. This action was transferred from the United States District Court for the Northern District of California to this court on May 9, 2018. On May 31, 2018, this court found that, although plaintiff sought leave to proceed in forma pauperis, he had failed to submit a correct and complete application in the Northern District before transfer. Accordingly, the court directed the Clerk to send plaintiff a new Application to Proceed In Forma Pauperis, ordered plaintiff to submit the completed application within thirty days and warned plaintiff that failure to do so may result in this action being dismissed. ECF No. 12. The time for acting has passed and plaintiff has not submitted the completed application for leave to proceed in forma pauperis or otherwise responded to the court’s order.

Accordingly, it is ORDERED that the Clerk is directed to randomly assign a United States District Judge to this case.

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Further, it is 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 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 response to the objections shall be served and filed within fourteen 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 (9th Cir. 1991).

Dated: July 11, 2018.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE