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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALTON EUGENE DEAN,
Plaintiff,
v.
TOMMY DANSBY, et al.,
Defendants.

No. 2:18-cv-01776 CKD P

ORDER AND
FINDINGS AND RECOMMENDATIONS

By an order filed October 15, 2018, plaintiff was ordered to pay the filing fee within twenty-eight days and was cautioned that the failure to do so would result in a recommendation that this action be dismissed. The twenty-eight day period has now expired, and plaintiff has failed to pay the filing fee and comply with the court's order.

Accordingly, IT IS HEREBY ORDERED THAT:

1. All pending motions (ECF Nos. 10, 11) are denied as moot; and,
2. The Clerk of Court is directed to randomly assign this case to a district court judge.

IT IS FURTHER RECOMMENDED that this action be dismissed without prejudice. See Fed. R. Civ. P. 41(b).

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 served and filed 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: November 26, 2018



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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