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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL WINFIELD,

Plaintiff,

v.

DR. ELSAID, et al.,

Defendant.

No. 2:18-cv-1838 DB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. By order dated November 28, 2018, plaintiff was ordered to file a completed in forma pauperis affidavit and a certified copy of his prison trust account statement, and was cautioned that failure to do so would result in a recommendation that this action be dismissed. (ECF No. 7.) Those thirty days have passed, and plaintiff has not filed the required documents, paid the filing fee, or otherwise responded to the court’s order.


Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

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 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

1 objections shall be filed and served within fourteen days after service of the objections. The
2 parties are advised that failure to file objections within the specified time may waive the right to
3 appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

4 Dated: January 18, 2019

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7 DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

8 DLB:12

DLB:1/Orders/Prisoner/Civil.Rights/winf1838.fifp

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