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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICKY PAUL SMITH,
Plaintiff,
v.
SAN JOAQUIN COUNTY SHERIFF'S
DEPARTMENT,
Defendant.

No. 2:18-cv-1998 KJN P
ORDER AND FINDINGS AND
RECOMMENDATIONS

By an order filed October 16, 2018, plaintiff was ordered to file a certified copy of his inmate trust account statement, and was cautioned that failure to do so would result in a recommendation that this action be dismissed. The thirty-day period has now expired, and plaintiff has not responded to the court's order and has not filed the required document.

In accordance with the above, 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

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

5 Dated: November 27, 2018

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE