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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT A. GIBBS,
Plaintiff,
v.
COUNTY OF SHASTA, et al.,
Defendants.

No. 2:18-cv-2594 MCE KJN P

FINDINGS AND RECOMMENDATIONS


Plaintiff is a former Shasta County jail inmate. By an order filed October 1, 2018, plaintiff was ordered to file an in forma pauperis affidavit or pay the required filing fees, and was cautioned that failure to do so would result in a recommendation that this action be dismissed. Plaintiff sought deferral of the filing fees. On November 6, 2018, plaintiff's motion for deferral of the filing fee was denied, and plaintiff was ordered to submit an affidavit in support of his request to proceed in forma pauperis or pay the required filing fees. Plaintiff filed a change of address on November 30, 2018, and the November 6 order was re-served on plaintiff at the new address on December 4, 2018. Thirty days from the re-service date have now expired, and plaintiff has not responded to the court's order and has not filed the required documents or paid the filing fees.

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In accordance with the above, 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 objections shall be filed and served 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. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: January 9, 2019


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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