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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES LEWIS BOBO,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

No. 2:19-cv-00755 AC (PS)
ORDER and
FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this social security action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21) and (15). On May 6, 2019, this court issued an order granting plaintiff leave to proceed in forma pauperis and ordering plaintiff, within 14 days, to submit to the United States Marshal a completed summons and copies of the complaint, and to file with the court a statement certifying such submission. ECF No. 3. This deadline passed, and the United States Marshal has not received the required documents, nor has plaintiff filed a certificate of their submission.

On August 23, 2019, the court ordered plaintiff to show cause by September 4, 2019 why this case should not be dismissed for failure to prosecute. ECF No. 6. The court warned plaintiff that failure to show completion of service and comply with the order would result in a recommendation that the case be dismissed. Plaintiff has not provided any response.

1 Accordingly, IT IS HEREBY ORDERED that the Clerk of Court shall randomly assign a
2 district judge to this action.

3 IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for
4 lack of prosecution and for failure to comply with the court's order. See Fed. R. Civ. P. 41(b);
5 Local Rule 110.

6 These findings and recommendations are submitted to the United States District Judge
7 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one
8 (21) days after being served with these findings and recommendations, plaintiff may file written
9 objections with the court. Such document should be captioned "Objections to Magistrate Judge's
10 Findings and Recommendations." Local Rule 304(d). Plaintiff is advised that failure to file
11 objections within the specified time may waive the right to appeal the District Court's order.
12 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

13 DATED: September 16, 2019

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15 ALLISON CLAIRE
16 UNITED STATES MAGISTRATE JUDGE
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