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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON,
Plaintiff,
v.
JOHN HAROLD HOLLYROCK, et al.,
Defendants.

No. 2:19-cv-0785 DB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983 on May 3, 2019. On June 6, this court ordered plaintiff to either file an application to proceed in forma pauperis or pay the filing fee within thirty days. (ECF No. 3.) Plaintiff was warned that if he failed to comply with the court’s order, this court would recommend his action be dismissed.

Thirty days have passed and plaintiff has not filed an application to proceed in forma pauperis, paid the filing fee, or otherwise responded to the court’s June 6 order.

Accordingly, the Clerk of the Court IS HEREBY ORDERED to randomly assign a district judge to this case; and


IT IS RECOMMENDED that this case be dismissed for plaintiff’s failure to comply with court orders. See E.D. Cal. R. 110; Fed. R. Civ. P. 41.

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These findings and recommendations will be 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, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge's Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time may result in waiver of the right to appeal the district court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: July 23, 2019



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

DLB:9
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