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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN R. KILLIAN,  
Plaintiff,  
v.  
TIM SARTAIN, et al.,  
Defendants.

No. 2:19-cv-0905 CKD P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

By an order filed May 24, 2019, plaintiff was ordered to file a completed in forma pauperis application or pay the filing fee and was cautioned that failure to do so would result in a recommendation that this action be dismissed. (ECF No. 3.) After failing to file an application or pay the filing fee, plaintiff was given an additional twenty-one days to comply with the May 24, 2019 order and warned that failure to do so would result in a recommendation that the action be dismissed without further warning. (ECF No. 4.) The twenty-one-day period has now expired, and plaintiff has not filed an application to proceed in forma pauperis, paid the filing fee, or otherwise responded to the order.


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

1 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
2 after being served with these findings and recommendations, plaintiff may file written objections  
3 with the court. Such a document should be captioned “Objections to Magistrate Judge’s Findings  
4 and Recommendations.” Plaintiff is advised that failure to file objections within the specified  
5 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153  
6 (9th Cir. 1991).

7 Dated: August 20, 2019

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10 CAROLYN K. DELANEY  
11 UNITED STATES MAGISTRATE JUDGE

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