Case 2:19-cv-02151-JAM-DB Document 22 Filed 11/18/20 Page 1 of 2

10 GEORGIA MILES,

v.

HOLLISTER, et al.,

UNITED STATES DISTRICT COURT

Plaintiff,

Defendants.

recommendation that this action be dismissed.

FOR THE EASTERN DISTRICT OF CALIFORNIA

No. 2:19-cv-2151 JAM DB P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a county inmate proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. By order dated January 31, 2020 plaintiff was ordered to pay the filing fee or submit a properly completed in forma pauperis application within thirty days. (ECF No. 10.) Plaintiff was warned that failure to comply with the court's order would result in a

After plaintiff failed to comply, the court recommended that this action be dismissed. (ECF No. 17.) Thereafter, plaintiff filed a notice regarding the filing fee (ECF No. 18) and a motion to set aside the filing fee (ECF No. 19). The undersigned vacated the findings and recommendations and gave plaintiff one final opportunity to either pay the filing fee or submit a properly completed application to proceed in forma pauperis. (ECF No. 20.) Plaintiff was given thirty days to comply with the order and warned that failure to do so would result in a recommendation that this action be dismissed. Those thirty days have passed, and plaintiff has not paid the filing fee, filed an in forma pauperis application, requested additional time to do so,

updated her address, or otherwise responded to the court's order. Therefore, the court will recommend that this action be dismissed for failure to prosecute and failure to comply with court orders. IT IS HEREBY RECOMMENDED that this action be dismissed. See Fed. R. Civ. P. 41(b); E.D. Cal. Local Rule 110. 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, plaintiff 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." Plaintiff is 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: November 18, 2020 UNITED STATES MAGISTRATE JUDGE DB:12 DB:1/Orders/Prisoner/Civil.Rights/mile2151.f&r.dism(2)

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