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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER MICHEL ELVERS,

Plaintiff,

v.

SHASTA COUNTY SHERIFF, *et al.*,

Defendants.

Case No. 2:21-cv-00189-JDP (PC)

FINDINGS AND RECOMMENDATIONS
THAT THIS ACTION BE DISMISSED FOR
FAILURE TO PAY THE FILING FEE

OBJECTIONS DUE WITHIN FOURTEEN
DAYS

On February 12, 2021, I ordered plaintiff to submit, within thirty days, either the \$402 filing fee or an application to proceed *in forma pauperis*. ECF No. 4. Plaintiff failed to respond to that order. Accordingly, on April 23, 2021, I ordered him to show cause within twenty-one days why this case should not be dismissed for failure to prosecute and failure to comply with court orders. ECF No. 6. I warned plaintiff that failure to respond to the order would result in a recommendation that this action be dismissed without prejudice. *Id.* To date, plaintiff has neither submitted the required filing fee nor otherwise responded to the April 23, 2021 order.

Accordingly, it is hereby ORDERED that the Clerk of Court shall randomly assign a United States District Judge to this case. Further, it is RECOMMENDED that this action be dismissed without prejudice for failure to pay the \$402 filing fee.

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

1 after being served with these findings and recommendations, any party may file written
2 objections with the court and serve a copy on all parties. Such a document should be captioned
3 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
4 objections shall be served and filed within fourteen days after service of the objections. The
5 parties are advised that failure to file objections within the specified time may waive the right to
6 appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998).

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8 IT IS SO ORDERED.

9 Dated: July 21, 2021

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12 JEREMY D. PETERSON
13 UNITED STATES MAGISTRATE JUDGE
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