

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ERIC CONRAD GULBRONSON,  
11 Plaintiff,  
12 v.  
13 DENTON SCHNEIDER, et al.,  
14 Defendants.

No. 2:22-cv-01128 DB P

## ORDER AND FINDINGS AND RECOMMENDATIONS

16 Plaintiff is a county prisoner proceeding pro se with a civil rights action pursuant to 42  
17 U.S.C. § 1983. On filing his complaint, plaintiff failed to submit an application to proceed in  
18 forma pauperis or pay the filing fee for this action. On July 6, 2022, the court ordered plaintiff to  
19 either file a completed in forma pauperis application or pay the required filing fee within thirty  
20 days. (ECF No. 3.) Plaintiff was warned that failure to abide by the court’s order or to seek an  
21 extension of time to do so would result in dismissal of this action without prejudice. (Id. at 2.)  
22 Plaintiff subsequently filed two motions to proceed in forma pauperis. (ECF Nos. 6, 9.) Both  
23 were only partially completed and lacked responses to most of the application’s questions. (See  
24 id.) On August 8, 2022, the court again ordered plaintiff to file a fully completed in forma  
25 pauperis application or pay the filing fee for this action. (ECF No. 10.) Plaintiff was given an  
26 additional thirty days to do so. (Id.)

27 More than thirty days have passed and plaintiff has not filed a motion to proceed in forma  
28 pauperis, paid the filing fee, requested an extension of time, or otherwise responded to the court's

1 orders. Accordingly, it will be recommended that this action be dismissed for failure to pay the  
2 filing fee and failure to comply with court orders.

3 Accordingly, the Clerk of the Court is HEREBY ORDERED to randomly assign a district  
4 judge to this action.

5 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See  
6 Local Rule 110; Fed. R. Civ. P. 41(b).

7 These findings and recommendations are submitted to the United States District Judge  
8 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days  
9 after being served with these findings and recommendations, plaintiff may file written objections  
10 with the court and serve a copy on all parties. Such a document should be captioned "Objections  
11 to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file  
12 objections within the specified time may waive the right to appeal the District Court's order.

13 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

14 Dated: November 28, 2022



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16 DEBORAH BARNES  
17 UNITED STATES MAGISTRATE JUDGE  
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