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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONALD JAMES BRUCE HATTON, Sr.,
Plaintiff,
v.
KIMBERLY CUISNOT, *et al.*,
Defendants.

Case No. 2:23-cv-00020-JDP (PC)

ORDER AND FINDINGS AND
RECOMMENDATIONS

On March 7, 2023, I ordered plaintiff to submit, within thirty days, either the \$402 filing fee or an application to proceed *in forma pauperis*. ECF No. 4. I also warned him that failure to respond to the order would result in a recommendation that this action be dismissed. *Id* at 1-2. To date, plaintiff has not submitted the required filing fee nor otherwise responded to the March 7 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 required filing fee and failure to comply with court orders.


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, any party may file written

1 objections with the court and serve a copy on all parties. Such a document should be captioned
2 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
3 objections shall be served and filed within fourteen days after service of the objections. The
4 parties are advised that failure to file objections within the specified time may waive the right to
5 appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
6 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

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IT IS SO ORDERED.

Dated: May 16, 2023



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE