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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALEJANDRO HERNANDEZ,
Petitioner,
v.
WARDEN, F.C.I. HERLONG,
Respondent.

No. 2:23-cv-0528 CKD P

ORDER AND
FINDINGS AND RECOMMENDATIONS

On March 24, 2023, the court ordered that petitioner pay the \$5 filing fee for this action or submit a completed application to proceed in forma pauperis within 30 days. Petitioner was warned that failure to do so would result in a recommendation that this action be dismissed. Petitioner has not complied with the March 24, 2023, order.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court assign a district court 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 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, petitioner may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Petitioner is advised that failure to file objections within the

1 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951
2 F.2d 1153 (9th Cir. 1991).

3 Dated: May 9, 2023



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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