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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREGROY RALPH ABRARIA,
Plaintiff,
v.
BRYAN MURPHY, et al.,
Defendants.

No. 2:23-cv-1625 AC P

ORDER AND FINDINGS AND
RECOMMENDATIONS

By an order filed August 11, 2023, plaintiff was ordered to file a completed in forma pauperis application on the form provided by the court and was cautioned that failure to do so would result in a recommendation that this action be dismissed. ECF No. 4. After plaintiff failed to file a completed application, he was given an additional twenty-one days to file a new application or submit a certified trust account statement and warned that failure to comply would result in a recommendation that this action be dismissed without further warning. ECF No. 5. The twenty-one-day period has now expired, and plaintiff has not filed an application to proceed in forma pauperis, paid the filing fee, or otherwise responded to the court’s orders.

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

IT IS FURTHER RECOMMENDED that this action be dismissed without prejudice.

These findings and recommendations are submitted to the United States District Judge

1 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
2 after being served with these findings and recommendations, plaintiff may file written objections
3 with the court. Such a document should be captioned “Objections to Magistrate Judge’s Findings
4 and Recommendations.” Plaintiff is advised that failure to file objections within the specified
5 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153
6 (9th Cir. 1991).

7 DATED: November 3, 2023

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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