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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT WAYNE SEDLAR,
Petitioner,
v.
SACRAMENTO CO. JAIL, et al.,
Respondents.

No. 2:24-cv-0132 DB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Petitioner is a county inmate prisoner proceeding pro se with a petition for a writ of habeas corpus under 28 U.S.C. § 2254. In an order filed May 25, 2024, this court ordered petitioner to file a motion to proceed in forma pauperis or pay the filing fee within thirty days if he wishes to proceed with this action. Thirty days have passed and petitioner has not filed a motion to proceed in forma pauperis, paid the filing fee, or otherwise responded to the court’s May 25 order. Petitioner was warned in the May 25 order that his failure to comply with the order would result in a recommendation that this action be dismissed.


Accordingly, the Clerk of the Court is **HEREBY ORDERED** to randomly assign a district judge to this case; and

IT IS RECOMMENDED that this action be dismissed without prejudice for petitioner’s failure to comply with court orders. Fed. R. Civ. P. 41; E.D. Cal. R. 110.

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1 These findings and recommendations will be submitted to the United States District Judge
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
3 after being served with these findings and recommendations, petitioner may file written
4 objections with the court. The document should be captioned “Objections to Magistrate Judge's
5 Findings and Recommendations.” Petitioner is advised that failure to file objections within the
6 specified time may result in waiver of the right to appeal the district court’s order. Martinez v.
7 Ylst, 951 F.2d 1153 (9th Cir. 1991). In the objections, petitioner may address whether a
8 certificate of appealability should issue in the event an appeal of the judgment in this case is filed.
9 See Rule 11, Rules Governing § 2254 Cases (the district court must issue or deny a certificate of
10 appealability when it enters a final order adverse to the applicant).

11 Dated: July 29, 2024

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15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE
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