UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY PAUL LUCERO, Plaintiff, v. RAMISHA SLOCUM RICHARDS, Defendant.	No. 2:24-cv-00521-DAD-AC (PC) ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DISMISSING THIS ACTION (Doc. No. 7)

Plaintiff Timothy Paul Lucero is a county jail inmate proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 4, 2024, the court ordered plaintiff to either file a motion to proceed *in forma pauperis* or pay the required filing fee in order to proceed with this action. (Doc. No. 3.) The court provided plaintiff with thirty days to comply with that order. (*Id.* at 1.) After that deadline passed and plaintiff had failed to comply with that order, on April 17, 2024, the court *sua sponte* provided plaintiff with an additional twenty-one days in which to comply with the court's order. (Doc. No. 6.) To date, plaintiff has not paid the required filing fee to proceed with this action nor filed an application to proceed *in forma pauperis*, and the deadline in which to do so has passed.

Accordingly, on May 22, 2024, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed, without prejudice, due to

plaintiff's failure to comply with the court's orders and failure to pay the filing fee. (Doc. No. 7.) The findings and recommendations were served upon plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id*. at 1–2.) To date, plaintiff has not filed any objections and the time in which to do so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the pending findings and recommendations are supported by the record and proper analysis.

Accordingly:

1. The findings and recommendations issued on May 22, 2024 (Doc. No. 7) are adopted in full;
2. This action is dismissed, without prejudice, due to plaintiff's failure to pay the required filing fee and failure to comply with a court order; and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: **July 26, 2024**

Dale A. Drozd

DALE A. DROZD
UNITED STATES DISTRICT JUDGE