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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

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| JUSTIN LANGFORD,<br>Plaintiff,<br>vs.<br>STAN COLTON, et al.,<br>Defendants. | ) | Case No. 2:16-cv-01581-JAD-CWH<br>**REPORT & RECOMMENDATION** |

On April 18, 2017, the court entered an order requiring Plaintiff Justin Langford to file an application to proceed *in forma pauperis* or to pay the filing fee in this case. (Order (ECF No. 2).) Plaintiff's deadline for doing so was May 22, 2017. (*Id.*) Plaintiff was advised that failure to comply with the order would result in a recommendation that his case be dismissed. (*Id.* at 2.) Plaintiff has not taken any action in this case since the court's order dated April 18, 2017, and he therefore appears to have abandoned this case.

IT IS THEREFORE RECOMMENDED that Plaintiff Justin Langford's case be dismissed without prejudice.

**NOTICE**

This report and recommendation is submitted to the United States district judge assigned to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation may file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).

DATED: May 30, 2017

**C.W. Hoffman, Jr.**
**United States Magistrate Judge**

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