Miller v. Steinheimer, et al		Doc. 5
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6		S DISTRICT COURT
7	DISTRICT	OF NEVADA
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9	MARTIN KARL MILLER, )	3:16-CV-0317-MMD (VPC)
10	Plaintiff, )	REPORT AND RECOMMENDATION
11	VS. )	OF U.S. MAGISTRATE JUDGE
12	CONNIE STEINHEIMER, et al.,	
13	Defendants. )	
14	This report and recommendation is made to the Honorable Miranda M. Du, United States	
15	District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C.	
16	§ 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4.	
17	On June 10, 2016, the court received plaintiff's request to proceed in forma pauperis (ECF No.	
18	1) and a civil rights complaint. On June 8, 2017, found plaintiff's declaration insufficient for the court	
19	rule on the application as he had been released from custody (ECF No. 4). The court ordered plaintiff	
20	to submit a completed application to proceed in forma pauperis for non-prisoners on or before June	
21	26, 2017. ( <i>Id.</i> ) Plaintiff failed to respond to this court's order.	
22	Based upon the foregoing, the undersigned	ed magistrate judge recommends that the application
23	to proceed <i>in forma pauperis</i> (ECF No. 1) be denied and this action be dismissed without prejudice.	
24	The parties should be aware of the following:	
25	1. They may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules	
26	of Practice, specific written objections to this Report and Recommendation within fourteen (14) days	
27	of receipt. These objections should be titled "Objections to Magistrate Judge's Report and	
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1	Recommendation" and should be accompanied by points and authorities for consideration by the
2	District Court.
3	2. This Report and Recommendation is not an appealable order, and any notice of appeal
4	pursuant to Rule 4(a)(1), Fed. R. App. P., should not be filed until entry of the District Court's
5	judgment.
6	RECOMMENDATION
7	For the reasons stated above, the undersigned Magistrate Judge recommends that the District
8	Judge enter an order as follows:
9	1. <b>DENYING</b> plaintiff's request to proceed <i>in forma pauperis</i> (ECF No. 1); and
10	2. <b>DISMISSING</b> this action without prejudice.
11	DATED: October 25, 2017.
12	7/1-011.
13	INITED STATES MAGISTRATE HIDGE
14	CIVITED STATES WAYGISTRATE JODGE
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