

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Tyrell Ainsworth v. Shepherd, et al.

Ainsworth · No. No. 2:24-cv-1478 KJM AC P · Decided December 30, 2025

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 TYRELL AINSWORTH, No. 2:24-cv-1478 KJM AC P 12 Plaintiff,
FINDINGS AND RECOMMENDATIONS 13 v. 14 SHEPHERD, et al., 15 Defendants. 16 17 By
order filed May 29, 2025, plaintiff was ordered to pay the filing fee within thirty days 18 and was
cautioned that failure to do so would result in dismissal of this action.

ECF No. 30. 19 Plaintiff appealed. ECF No. 31. After plaintiff failed to pay the appellate court
filing fee, his 20 appeal was dismissed, and the order become the mandate of the court. ECF No.
36. The thirty- 21 day period for plaintiff to pay the filing fee in this action has long expired and
plaintiff has not 22 paid the filing fee or otherwise responded to the order.

23 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without 24
prejudice. 25 These findings and recommendations are submitted to the United States District
Judge 26 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen
days 27 after being served with these findings and recommendations, plaintiff may file written
objections 28 with the court.

Such a document should be captioned “Objections to Magistrate Judge’s Findings 1 | and
Recommendations.” Plaintiff is advised that failure to file objections within the specified 2 | time
may waive the right to appeal the District Court’s order. Martinez v. YIst, 951 F.2d 1153 3 | (th
Cir. 1991). 4 || DATED: December 29, 2025 ~ ALLISON CLAIRE 6 UNITED STATES
MAGISTRATE JUDGE 7 8 9 10 1] 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28