

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Anthony Lee Allen, Jr. v. Daneile Cuevo, et al.

No. 2:24-cv-02989-EFB (PC) · No. No. 2:24-cv-02989-EFB (PC) · Decided March 27, 2025

OPINION

(PC) Allen v. Cuevo

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 ANTHONY LEE ALLEN, JR., No. 2:24-cv-02989-EFB (PC)

12 Plaintiff,

13 v. ORDER AND FINDINGS AND

RECOMMENDATIONS

14 DANEILE CUEVO, et al., 15 Defendants. 16 17 Plaintiff is a state prisoner proceeding pro se
in this action brought pursuant to 42 U.S.C. § 18 1983. This proceeding was referred to this court
by Local Rule 302 pursuant to 28 U.S.C. 19 § 636(b)(1). 20 On January 23, 2025, the court found
that plaintiff was not qualified to proceed in forma 21 pauperis in this action due to having “three
strikes” under 28 U.S.C. § 1915(g). ECF No. 18. The 22 court ordered plaintiff to pay the filing
fee within 21 days. Plaintiff has not paid the fee or 23 otherwise responded to the order. 24
Accordingly, it is hereby ORDERED that the Clerk of Court randomly assign a district 25 judge to
this action. It is further RECOMMENDED that the case be dismissed without prejudice 26 for
failure to pay the filing fee. 27 //// 28 ////] These findings and recommendations are 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,
any party may file written 4 || objections with the court and serve a copy on all parties. Such a
document should be captioned 5 || “Objections to Magistrate Judge’s Findings and
Recommendations.” Any response to the 6 || objections shall be served and filed within fourteen
days after service of the objections. The 7 || parties are advised that failure to file objections within
the specified time may waive the right to 8 | appeal the District Court’s order. Turner v. Duncan,
158 F.3d 449, 455 (9th Cir. 1998); Martinez 9 || v. Yist, 951 F.2d 1153 (9th Cir. 1991). 10 11 |
Dated: March 26, 2025 Duta SEZ

12 UNITED STATES MAGISTRATE JUDGE

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