

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

Jayson Thorn v. Sac Jail

Thorn v. Sac Jail · No. 2:23-cv-0069-CKD P · Decided March 8, 2023

SUMMARY

The court recommends dismissal without prejudice under Federal Rule of Civil Procedure 41(b) because the plaintiff failed to submit a completed in forma pauperis application within the ordered time. The document also orders random assignment of the matter to a district judge and advises the parties regarding objections to the findings and recommendations.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 JAYSON THORN, No. 2:23-cv-0069-CKD P 12 Plaintiff, 13 v. ORDER
AND 14 SAC JAIL, FINDINGS AND RECOMMENDATIONS 15 Defendant. 16 By an order
filed January 18, 2023, plaintiff was ordered to file a completed in forma 17 pauperis application
within thirty days and was cautioned that failure to do so would result in a 18 recommendation
that this action be dismissed.

The thirty day period has now expired, and 19 plaintiff has not responded to the court's order. 20
Accordingly, IT IS HEREBY ORDERED that the Clerk of Court randomly assign this 21 matter
to a district court judge. 22 IT IS FURTHER RECOMMENDED that this action be dismissed
without prejudice. See 23 Fed. R. Civ. P. 41(b). 24 These findings and recommendations are
submitted to the United States District Judge 25 assigned to the case, pursuant to the provisions of
28 U.S.C. § 636(b)(1).

Within fourteen days 26 after being served with these findings and recommendations, any party
may file written 27 objections with the court and serve a copy on all parties. Such a document
should be captioned 28 1 | "Objections to Magistrate Judge's Findings and Recommendations."
Any response to the 2 || objections shall be served and filed within fourteen days after service of
the objections.

The 3 || parties are advised that failure to file objections within the specified time may waive the
right to 4 | appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). 5 |
Dated: March 7, 2023 Card ft 4 LA g. ae 6 CAROLYN K DELANEY? 7 UNITED STATES
MAGISTRATE JUDGE 8 9 10 1] 12 13 12/thor0069.fifp.docx 14 15 16 17 18 19 20 21 22 23 24
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