

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DAVID PATTILLO,

*Plaintiff,*

vs.

COBB,


*Defendant.*

2:12-cv-01385-GMN-PAL

ORDER

Plaintiff has not timely paid the filing fee or filed a properly-completed second pauper application. The prior order informed plaintiff that a failure to respond could result in dismissal of the action. In dismissing the action without prejudice, the Court has considered the public's interest in expeditious resolution of litigation, the Court's need to manage its docket, the risk of prejudice, the public policy favoring disposition of cases on their merits, and the possible availability of actions other than dismissal. The Court notes that the allegations of the complaint reflect that a dismissal without prejudice of this improperly-commenced action would not lead to a promptly filed and properly commenced new action being untimely.

IT THEREFORE IS ORDERED that this action shall be DISMISSED without prejudice. The Clerk shall enter final judgment accordingly, dismissing this action without prejudice. DATED this 26th day of November 2012.

  
\_\_\_\_\_  
Gloria M. Navarro  
United States District Judge