

1 under penalty of perjury. See 28 U.S.C. § 1746 (oath requirement may be satisfied when a
2 person declares under penalty of perjury that the submission is true and correct and signs and
3 dates the document).

4 If Plaintiff fails to timely comply with every provision of this Order, the Court may
5 dismiss this action without further notice. See Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61
6 (9th Cir. 1992) (a district court may dismiss an action for failure to comply with any order
7 of the Court).

8 **IT IS ORDERED:**

9 (1) The reference to the Magistrate Judge is withdrawn only with respect to the
10 filing fee. All other matters in this action remain with the Magistrate Judge for disposition
11 as appropriate.

12 (2) Within **30 days** from the date this Order is filed, Plaintiff must either pay the
13 \$166.92 balance of the \$350.00 filing fee **or** file a Response as described above.

14 (3) If Plaintiff fails to pay the balance of the filing fee **or** file a Response to this
15 Order within 30 days, the Clerk of Court must enter a judgment of dismissal of this action
16 without prejudice.

17 DATED this 6th day of April, 2009.

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20 _____
21 Stephen M. McNamee
22 United States District Judge
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