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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

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10 Richard Eugene Warren,

11 Plaintiff,

12 vs.

13 Dennis Smith, et al.,

14 Defendants.

No. CV 12-0552-PHX-RCB (MHB)

**ORDER**

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Plaintiff Richard Eugene Warren, who was then confined in the Federal Correctional Institution in Phoenix, filed a *pro se* civil rights Complaint pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). Plaintiff did not pay the \$350.00 civil action filing fee or file an Application to Proceed *In Forma Pauperis*. In an Order filed on April 20, 2012, the Court gave Plaintiff 30 days in which to pay the fee or file a complete Application to Proceed *In Forma Pauperis*. (Doc. 4.) Shortly before that Order issued, Plaintiff paid \$5.00, which is the filing fee for a habeas action. (Doc. 3.) On June 7, 2012, the action was dismissed and judgment entered because Plaintiff had failed to either pay the \$350.00 filing fee or submit an Application to Proceed *In Forma Pauperis* (Non-Habeas). (Doc. 5.) On June 15, 2012, Plaintiff filed a notice of change of address reflecting that he had been transferred to the Federal Correctional Institution in Terre Haute, Indiana. (Doc. 6.) The same day, he filed a motion to extend time to comply with any

1 order that may have been issued. (Doc. 7.) The motion was dated by Plaintiff on June 8,  
2 2012. (Id.)

3 Plaintiff's motion for extension of time will be denied. The Court issued its Order  
4 giving Plaintiff 30 days in which to either pay the \$350.00 filing fee or to file an Application  
5 to Proceed *In Forma Pauperis* (Non-Habeas) on April 20, 2012. A copy of that Order mailed  
6 to Plaintiff on April 20, 2012 was not returned as undeliverable. The motion filed by  
7 Plaintiff indicates that he was transferred in early June, 2012, after the 30 day period had  
8 expired. Accordingly, Plaintiff's motion for an extension of time will be denied.

9 **IT IS ORDERED** that Plaintiff's motion to extend deadlines is **denied**. (Doc. 7.)

10 DATED this 4th day of September, 2012.

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14 Robert C. Broomfield  
15 Senior United States District Judge  
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