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 CLERK U.S. DISTRICT COURT
 JAN 30 2009
 CENTRAL DISTRICT OF CALIFORNIA
 DEPUTY

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

FILED
 CLERK U.S. DISTRICT COURT
 FEB - 4 2009
 R.M.
 CENTRAL DISTRICT OF CALIFORNIA
 DEPUTY

MARTIN CRUZ HERNANDEZ
 PLAINTIFF
 - VS -
CORRECTIONAL LIEUTENANT
 DEFENDANT(S)

CASE NUMBER **2:CV08-06572** **RGK (RZ)**

ORDER TO SHOW CAUSE RE DISMISSAL FOR
 FAILURE TO PAY INITIAL PARTIAL FILING FEE

On 10/21/2008, plaintiff was granted permission pursuant to 28 U.S.C. § 1915(b)(1) to file the above-referenced action without paying the full filing fee of 350.00, but plaintiff was ordered to pay an initial partial filing fee, in the amount of \$ 12.00, within thirty(30) days to the Clerk of Court. To date, the payment has not been received.

The plaintiff has not complied with 28 U.S.C. § 1915(b)(1) and is here by ordered to show cause why this action should not be dismissed without prejudice for plaintiff's failure timely to pay the initial partial filing fee.

Plaintiff may file a response to this Order to Show Cause no later than twenty(20) days from the date of this Order. Failure to file a response within the time specified may be deemed consent to the dismissal without prejudice of this action. If the initial partial filing is received within the twenty(20) day period, no further response to this Order to Show Cause is necessary.

Dated : 2/4/09

By : Raelyn Ziegler
 UNITED STATES MAGISTRATE JUDGE