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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

GREGORY C. BONTEMPS,
Plaintiff,
v.
K. PENATE,
Defendant.

) Case No. CV 15-6648-JFW (SP)

ORDER OF DISMISSAL

On August 19, 2015, plaintiff Gregory C. Bontemps initiated this action by filing a civil rights complaint in the United States District Court for the Eastern District of California. The case was subsequently transferred to this Court.

Plaintiff did not pay the \$350 filing fee, nor did he initially submit a request to proceed without prepayment of the full filing fee or in forma pauperis (“IFP”). The case was therefore dismissed in September 2015.

After plaintiff provided an IFP application in an appeal to the Ninth Circuit Court of Appeals, on December 15, 2015 this Court granted plaintiff’s IFP application on limited remand from the Ninth Circuit. Given this, the Ninth Circuit dismissed plaintiff’s appeal and issued the mandate in March 2016. This Court then rescinded its order of dismissal and reopened the case on April 25, 2016.

The Court subsequently determined that plaintiff has at least three other

1 “strikes,” which prevent plaintiff from proceeding IFP under the “three strikes”
2 provision of the Prison Litigation Reform Act (“PLRA”). Consequently, on
3 November 18, 2016, the Court revoked the order granting plaintiff’s IFP request.
4 The Court further ordered that plaintiff shall pay the \$350 filing fee in full within
5 30 days or this case will be dismissed.

6 More than 30 days have now passed, and plaintiff has not paid any of the
7 full filing fee owed, that is, \$350.00.

8 IT IS THEREFORE ORDERED that this case is DISMISSED. No further
9 filings shall be accepted under this case number.

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12 DATED: December 29, 2016



13
14 HONORABLE JOHN F. WALTER
15 UNITED STATES DISTRICT JUDGE

16 Presented by:



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18 SHERI PYM
19 UNITED STATES MAGISTRATE JUDGE