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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JESSE L. YOUNGBLOOD, ) NO. ED CV 15-249-JAK(E)  
 )  
Plaintiff, )  
 )  
v. ) ORDER OF DISMISSAL  
 )  
WARDEN LORI R. DICARLO, )  
et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

BACKGROUND

Plaintiff, a state prisoner presently confined at the Corcoran State Prison, filed this civil rights action pursuant to 42 U.S.C. section 1983 on November 25, 2014, in the United States District Court for the Southern District of California. On February 6, 2015, the United States District Court for the Southern District of California transferred the action to this Court. On February 10, 2015, the Court issued an Order granting Plaintiff leave to proceed in forma pauperis ("IFP") without prepayment of filing fees.

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1 Under the Prison Litigation Reform Act, Pub L. No. 104-134, 110  
2 Stat. 1321 (1996), a prisoner may not bring a civil action IFP if, on  
3 three (3) or more previous occasions, the prisoner has brought an  
4 action or appeal in a court of the United States that was dismissed on  
5 the grounds that it was frivolous or malicious or failed to state a  
6 claim upon which relief may be granted, unless the prisoner is under  
7 imminent danger of serious physical injury. 28 U.S.C. § 1915(g).  
8

9 On July 29, 2016, the Court issued an "Order to Show Cause,"  
10 ordering Plaintiff inter alia to show cause in writing, if there be  
11 any, why Plaintiff's IFP status should not be revoked on the ground  
12 that Plaintiff had suffered three or more prior dismissals qualifying  
13 as "strikes" under 28 U.S.C. section 1915(g). On August 12, 2016,  
14 Plaintiff filed "Petitioner [sic] in pursuant to Federal Local Rules  
15 [sic], etc.," apparently responding to the Order to Show Cause.  
16

17 On August 24, 2016, the Court issued an "Order Revoking  
18 Plaintiff's In Forma Pauperis Status." The August 24 Order revoked  
19 Plaintiff's in forma pauperis status pursuant to 28 U.S.C. section  
20 1915(g) on the grounds that: (1) Plaintiff had suffered three or more  
21 prior dismissals constituting "strikes" within the meaning of section  
22 1915(g); and (2) the statutory exception provided in section 1915(g)  
23 did not apply because Plaintiff had not alleged facts plausibly  
24 showing that he was in "imminent danger of serious physical injury"  
25 based on the conditions existing at the time he filed this action.  
26 The Order required Plaintiff to pay the full filing fee within twenty-  
27 one (21) days of August 24, 2016, if Plaintiff wished to pursue this  
28 action. The Order also advised Plaintiff that failure timely to pay

1 the full filing fee could result in dismissal of the action.  
2 Nevertheless, Plaintiff has failed to pay the full filing fee within  
3 the allotted time.

4  
5 **ORDER**  
6

7 For the foregoing reasons, the action is dismissed without  
8 prejudice for failure to pay the full filing fee in conformity with  
9 the Court's August 24, 2016 Order. See 28 U.S.C. § 1915(g).  
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11 IT IS SO ORDERED.  
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13 DATED: September 21, 2016.  
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17 JOHN A. KRONSTADT  
18 UNITED STATES DISTRICT JUDGE  
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