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

ELIJAH LEE MILLER,

Plaintiff,

v.

D. WATERS et al.,

Defendants.

Case No. 5:19-cv-02126-JVS (MAA)

ORDER OF DISMISSAL

On November 6, 2019, Plaintiff Elijah Lee Miller (“Plaintiff”) filed a *pro se* civil rights Complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1.) However, Plaintiff neither paid the required \$400 filing fee, nor filed an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (See ECF No. 2.) On November 7, 2019, the Court issued an Order advising that failure to correct this deficiency within thirty days would result in dismissal of the case. (Order, ECF No. 4.)

On November 12, 2019, Plaintiff filed a document that the Court construed as a request to proceed *in forma pauperis* (“IFP Request”). (ECF No. 5.) Plaintiff filed an uncertified copy of his trust account on November 21, 2019. (ECF No. 6.) On December 4, 2019, the Court denied the IFP Request due to Plaintiff’s failure to authorize disbursements from his prison trust account to pay the filing fees, and failure to provide a certified copy of his trust fund statement for the last six months.

1 (ECF No. 8.) The Court granted Plaintiff leave to re-submit an amended IFP
2 Request within thirty days. (*Id.*)

3 In the absence of an amended IFP Request, on January 17, 2020 the Court
4 issued an order to show cause why the case should not be dismissed. (ECF No. 14.)
5 On March 2, 2020, Plaintiff filed a second IFP Request (ECF No. 16) and “Motion
6 for an Extension of Time Ordered to Show Cause” (“Motion”) (ECF No. 17). On
7 March 4, 2020, the Court granted Plaintiff’s Motion and accepted the late
8 submission of the second IFP Request. (ECF No. 20.) On March 9, 2020, the
9 Court denied the second IFP Request due to Plaintiff’s failure to provide a certified
10 copy of his trust fund statement for the last six months. (ECF No. 21.) The Court
11 granted Plaintiff leave to re-submit an amended IFP Request within thirty days.
12 (*Id.*)

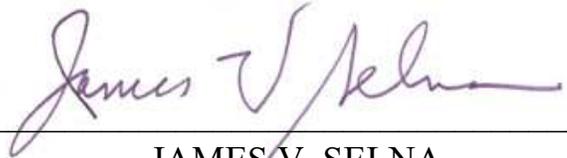
13 In the absence of an amended IFP Request, on May 26, 2020 the Court issued
14 an order to show cause why the case should not be dismissed. (ECF No. 23.) On
15 June 23, 2020, Plaintiff filed a third IFP Request. (ECF No. 24.) On June 26,
16 2020, the Court denied the third IFP Request due to Plaintiff’s failure to authorize
17 disbursements from his prison trust account to pay the filing fees and failure to
18 provide a certified copy of his trust fund statement for the last six months. (ECF
19 No. 25.) The Court granted Plaintiff leave to re-submit an amended IFP Request
20 within thirty days. (*Id.*)

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1 To date, Plaintiff has neither submitted the \$400 filing fee nor an amended
2 request to proceed *in forma pauperis*.

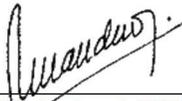
3 IT THEREFORE IS ORDERED that this lawsuit is DISMISSED without
4 prejudice. No further filings shall be accepted under this case number.

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8 DATED: September 10, 2020



JAMES V. SELNA
UNITED STATES DISTRICT JUDGE

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11 Presented by:



MARIA A. AUDERO
UNITED STATES MAGISTRATE JUDGE