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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROYCE KEVIN HOUSTON,

Plaintiff,

v.

R. ROSENTHAL, et al.,

Defendants.

CASE NO. 1:06-cv-01318-AWI-SKO PC

ORDER DISMISSING ACTION FOR FAILURE TO PAY THE FILING FEE

Plaintiff Royce Kevin Houston ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff's in forma pauperis status in this action was revoked on February 9, 2010. (Doc. #40.) Plaintiff was ordered to pay the remaining balance of the filing fee and was explicitly warned that the failure to pay the filing fee would result in the dismissal of this action. See 28 U.S.C. § 1914(a) (setting \$350.00 filing fee for civil actions). Plaintiff has not paid the remaining balance of the filing fee in this action. Accordingly, it is **HEREBY ORDERED** that:

1. This action is **DISMISSED** for Plaintiff's failure to pay the filing fee.; and
2. The Clerk is directed to close this action.

IT IS SO ORDERED.

Dated: September 27, 2010


 CHIEF UNITED STATES DISTRICT JUDGE