

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RUBEN HERNANDEZ,

CASE NO. 1:08-cv-00153-AWI-SKO PC

Plaintiff,

ORDER REQUIRING PLAINTIFF TO PAY
DEFENDANT'S EXPENSES IN THE
AMOUNT OF \$637.50, PAYABLE TO THE
ATTORNEY GENERAL'S OFFICE WITHIN
THIRTY DAYS

v.

JAMES YATES, et al.,

Defendants.

(Doc. 40)

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Ruben Hernandez, a state prisoner proceeding pro se and in forma pauperis. On February 7, 2012, the Court granted Defendant O'Brien's motion to compel and for sanctions. Pursuant to that order, Plaintiff had fifteen days within which to show cause why the fees incurred by Defendant in bringing the motion should not be assessed against him. Fed. R. Civ. P. 37(a)(5). More than fifteen days have passed and Plaintiff has not complied with or otherwise responded to the order.

Accordingly, within **thirty (30) days** from the date of service of this order, Plaintiff is required to pay Defendant's incurred expenses in the amount of \$637.50, payable to the Office of the Attorney General of California and directed to counsel's address of record. Id.

IT IS SO ORDERED.

Dated: March 11, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE