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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 MARVELOUS ASHA XYAH GREENE, 1:08-cv-01887-GSA-PC
11 Plaintiff, — ORDER DISMISSING ACTION,
12 vs. WITHOUT PREJUDICE, FOR
13 M. ROBINSON, et al., FAILURE TO PAY FILING FEE
14 Defendants.

16 Plaintiff Marvellous Asha Xyah Greene (“plaintiff”) is a prisoner proceeding pro se in a civil
17 rights action pursuant to 42 U.S.C. § 1983. On January 5, 2009, plaintiff consented to Magistrate Judge
18 jurisdiction pursuant to 28 U.S.C. § 636(c). (Doc. 3.) No other party has appeared in this action.

19 On February 20, 2009, pursuant to 28 U.S.C. § 1915(g), the court denied plaintiff's application
20 to proceed in forma pauperis and ordered plaintiff to pay the \$350.00 filing fee in full within thirty days.
21 (Doc. 5.) Plaintiff was warned that the failure to obey the court's order would result in dismissal of this
22 action. More than thirty days have passed and plaintiff has not complied with or otherwise responded
23 to the court's order.

24 Accordingly, this action is hereby dismissed, without prejudice, based on plaintiff's failure to
25 obey the court's order to pay the \$350.00 filing fee.

27 || IT IS SO ORDERED.

28 || Dated: April 6, 2009

/s/ **Gary S. Austin**
UNITED STATES MAGISTRATE JUDGE