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

MARVELLOUS ASHA XYAH GREENE,

1:08-cv-01887-GSA-PC

Plaintiff,

ORDER DISMISSING ACTION,
WITHOUT PREJUDICE, FOR
FAILURE TO PAY FILING FEE

vs.

M. ROBINSON, et al.,

Defendants.

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

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

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

IT IS SO ORDERED.

Dated: April 6, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE