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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

VAHAN JALADIAN,

CASE NO. 1:11-cv-02130-AWI-BAM PC

Plaintiff,

v.

ORDER DISMISSING ACTION, WITHOUT  
PREJUDICE, FOR FAILURE TO EITHER PAY  
FILING FEE IN FULL OR FILE  
APPLICATION TO PROCEED IN FORMA  
PAUPERIS

JOHN CHOKATOS, et al.,

Defendants.

/ (ECF Nos. 4, 6)

Plaintiff Vahan Jaladian, a former state prisoner proceeding pro se, filed this civil rights action on December 27, 2011 . Plaintiff did not file an application to proceed in forma pauperis or pay the filing fee. On December 29, 2011, the Court issued an order requiring Plaintiff to either pay the \$350.00 filing fee in full or file an application to proceed in forma pauperis on the form provided with the order, within forty-five days. Plaintiff did not respond to the order, and on February 29, 2012, an order issued requiring Plaintiff to show cause why this action should not be dismissed for failure to comply with a court order. Plaintiff was warned that dismissal would occur if he failed to respond to the order within thirty days. More than thirty days have passed, and Plaintiff has not responded to the order to show cause, paid the filing fee, or submitted an application to proceed in forma pauperis.

A civil action may not proceed absent the submission of either the filing fee or a completed application to proceed in forma pauperis. 28 U.S.C. §§ 1914, 1915. Because Plaintiff has submitted neither in compliance with the Court’s order to do so, dismissal of this action is appropriate. In re Phenylpropanolamine (PPA) Products Liability Litigation, 460 F.3d 1217, 1226 (9th Cir. 2006);

1 Local Rule 110.

2 Accordingly, the Court HEREBY ORDERS this action dismissed, without prejudice, for  
3 failure to pay the filing fee or file a completed application to proceed in forma pauperis.

4 IT IS SO ORDERED.

5 Dated: April 24, 2012

  
6 CHIEF UNITED STATES DISTRICT JUDGE

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