

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10

11 ANTHONY RECARDO G. TURNER,) Case No.: 1:13-cv-01611-LJO-BAM (PC)
12 Plaintiff,)
13 v.) ORDER DENYING MOTION TO PROCEED IN
14 J. McCALL, et al.,) FORMA PAUPERIS AS MOOT
15 Defendants.) (ECF No. 21)
16)

17 Plaintiff Anthony Recardo G. Turner ("Plaintiff"), a state prisoner, proceeded pro se and in
18 forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On October 29, 2013, the
19 Court found Plaintiff subject to 28 U.S.C. § 1915(g), denied Plaintiff's application to proceed in forma
20 pauperis and dismissed this action without prejudice to refiling with the submission of the \$400.00
21 filing fee in full. (ECF No. 19.) Plaintiff did not appeal. However, on February 10, 2014, Plaintiff
22 filed the instant motion to proceed in forma pauperis. (ECF No. 21.) As this action was dismissed and
23 closed, Plaintiff's motion to proceed in forma pauperis is DENIED as moot.

24 IT IS SO ORDERED.

25 Dated: February 12, 2014

26 /s/ Barbara A. McAuliffe
27 UNITED STATES MAGISTRATE JUDGE
28