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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MIGUEL ENRIQUE DIAZ,  
Plaintiff,  
v.  
STU SHERMAN et al.,  
Defendants.

No. 1:13-cv-01627-DAD-MJS

ORDER DIRECTING PLAINTIFF TO PAY  
FILING FEE WITHIN TWENTY-ONE (21)  
DAYS  
TWENTY-ONE (21) DAY DEADLINE

Plaintiff is a state prisoner proceeding *pro se* in this civil rights action brought pursuant to 42 U.S.C. § 1983. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 5, 2016, this court adopted the assigned magistrate judge’s findings and recommendations recommending that defendants’ motion to revoke plaintiff’s *in forma pauperis* status pursuant to the three strikes provision of 28 U.S.C. § 1915(g) be granted, and further directed plaintiff to pay the filing fee in full within twenty-one days of the date of the court’s order. (Doc. No. 46.) On August 17, 2016, plaintiff filed an interlocutory appeal of the court’s order. (Doc. Nos. 47–48.) On May 22, 2017, the Ninth Circuit dismissed plaintiff’s appeal due to his failure to prosecute. (Doc. No. 53.)

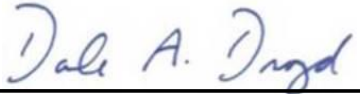
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Accordingly, plaintiff is directed to pay the required \$400 filing fee in full within twenty-one days of the date of service of this order. Failure to do so will result in the dismissal of his action.

IT IS SO ORDERED.

Dated: May 24, 2017

  
UNITED STATES DISTRICT JUDGE