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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DANIEL PHELPS,

Plaintiff,

v.

MATTHEW L. POTTER,

Defendant.

Case No. 1:14-CV-00766-LJO-SMS

ORDER DISMISSING CASE FOR
FAILURE TO PROSECUTE

(Doc. 3)

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On May 20, 2014, Plaintiff Daniel Phelps, proceeding *pro se*, filed the complaint in this action and requested leave to proceed without paying the filing fee (*in forma pauperis*). Because Plaintiff submitted an incomplete declaration that was not sufficient to make the showing required by 28 U.S.C. § 1915(a), the Court denied Plaintiff's motion to proceed *in forma pauperis* on May 23, 2014. The Court directed Plaintiff either to submit a completed application to proceed *in forma pauperis* or to pay the filing fee in full within thirty days. The Court's order specified that if Plaintiff did not do so, the case would be dismissed without prejudice for failure to prosecute. Although more than thirty days have passed, Plaintiff has neither paid the filing fee nor filed a completed application to proceed *in forma pauperis*.

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Accordingly, the Court hereby DISMISSES the above-captioned case without prejudice for failure to prosecute. The Clerk of Court is directed to close the case.

SO ORDERED

Dated: June 27, 2014

/s/ Lawrence J. O'Neill
United States District Judge