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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT KURT HAIRSTON,

 Plaintiff,

 v.

R. CURLISS, et al.,

 Defendants.

CASE NO. 1:14-cv-01760-LJO-MJS (PC)

**ORDER DISMISSING ACTION FOR
PLAINTIFF'S FAILURE TO PAY FILING
FEE**

(ECF No. 5)

CLERK TO CLOSE CASE

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 of the United States District Court for the Eastern District of California.

On November 24, 2014, the Magistrate Judge issued findings and recommendations to deny Plaintiff's in forma pauperis application and to require Plaintiff to pay the filing fee in full. (ECF No. 4.) On December 18, 2014, the undersigned adopted the findings and recommendations and ordered Plaintiff to submit the \$400 filing fee in full within twenty-one days. (ECF No. 5.) Plaintiff specifically was cautioned that his failure to do so would result in dismissal of this action. (Id.) Local Rule 110. The twenty-one day deadline has passed and Plaintiff has not submitted the filing fee.

Accordingly, IT IS HEREBY ORDERED that this action is DISMISSED, without

1 prejudice, pursuant to Local Rule 110 for Plaintiff's failure to pay the filing fee. The Clerk
2 is directed to terminate all pending motions and close this case.

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4 IT IS SO ORDERED.

5 Dated: January 13, 2015

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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