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7 UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF CALIFORNIA  
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10 NOEL LEMUS,

11 Plaintiff,

12 v.

13 COUNTY OF MERCED and  
14 DEFENDANT OFFICER DOES 1  
THROUGH 50,

15 Defendant.  
16

1:14-cv-02030-KJM-GSA

**ORDER TO SHOW CAUSE FOR  
FAILURE TO PAY FILING FEE AS  
DIRECTED BY THE COURT**

17 Plaintiff Noel Lemus ("Plaintiff") was previously directed to pay a complaint filing fee of  
18 \$400 by March 16, 2015. ECF No. 6. To date, no filing fee has been paid.

19 Accordingly, Plaintiff is ORDERED to show cause, if any, why this action should not be  
20 dismissed for failure to comply with the Court's order. The Court notes that Plaintiff has recently  
21 filed a new complaint in the case of *Lemus v. County of Merced*, Case No. 1:15-cv-00359---GSA  
22 separately from the present case. Plaintiff appears to have retained different counsel and has paid  
23 the filing fee in that action. Moreover, the complaint in that case appears to reference the same  
24 alleged facts as in the present case. If Plaintiff no longer intends to pursue this case (Case No.  
25 1:14-cv-2030-KJM-GSA), he must advise the Court by filing a Notice of Voluntary Dismissal.

26 The filing fee or Notice of Voluntary Dismissal shall be filed no later than **April 15, 2015**.  
27 If Plaintiff timely files any of the above, this Order to Show Cause will be vacated. *If Plaintiff*  
28 *fails to timely respond to this Order to Show Cause, the action will be dismissed in its entirety.*

1 The Clerk of the Court is directed to serve a copy of this order on Joel P. Waelty,  
2 Plaintiff's counsel of record in *Lemus v. County of Merced*, Case No. 1:15-cv-00359---GSA at:  
3 Hinkle, Jachimowicz, Pointer & Emanuel, 2007 W. Hedding Street, San Jose, California, 95128.  
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6 IT IS SO ORDERED.

7 Dated: March 19, 2015

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE