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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

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9 ALBERT BILLINGER, ) 1:14-cv-02031-BAM (PC)  
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11 Plaintiff, )  
12 vs. ) ORDER REQUIRING PLAINTIFF TO PAY  
13 YATES, ) \$400.00 FILING FEE IN FULL OR FILE AN  
14 Defendant. ) APPLICATION TO PROCEED IN FORMA  
 ) PAUPERIS WITHIN FORTY-FIVE DAYS

15 Plaintiff, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42  
16 U.S.C. § 1983 on October 22, 2014. The matter was transferred to this Court on December 22,  
17 2014. Plaintiff neither paid the \$400.00 filing fee nor filed an application to proceed in forma  
18 pauperis pursuant to 28 U.S.C. § 1915. Accordingly, it is **HEREBY ORDERED** that:

19 Within forty-five (45) days from the date of service of this order, plaintiff shall either pay  
20 the \$400.00 filing fee in full or file the attached application to proceed in forma pauperis,  
21 completed and signed. **No requests for extension will be granted without a showing of good**  
22 **cause. Failure to comply with this order will result in dismissal of this action.**  
23 IT IS SO ORDERED.

24 Dated: January 5, 2015

25 /s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE