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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

BARON BOWER,  
Plaintiff,  
v.  
FOSTER FARMS,  
Defendant.

Case No. 1:15-cv-00079-GEB-SAB  
ORDER DISMISSING ACTION FOR  
FAILURE TO PAY THE FILING FEE  
(ECF No. 24)

Plaintiff Baron Bower (“Plaintiff”), appearing pro se, filed the complaint in this action on January 16, 2015, seeking to set aside a settlement agreement in a 2002 employment action. (ECF No. 1.) On April 15, 2015, Plaintiff’s application to proceed without prepayment of fees was denied, and Plaintiff was ordered to pay the filing fee within twenty one days. (ECF No. 23.) Plaintiff did not pay the filing fee, but filed a motion to dismiss on May 8, 2015. (ECF No. 24.) Plaintiff states that he does not want to pay the filing fee and requests that this action be dismissed. However, Plaintiff also requests that the Court determine the award that he is entitled to in his underlying employment action. Plaintiff requests that the Court order relief because he has only received gross underpayment for his claims back in 2002-2003.

Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of the Court.” The Court has the inherent power

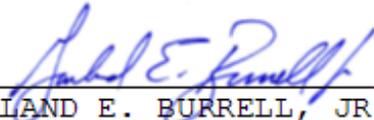
1 to control its docket and may, in the exercise of that power, impose sanctions where appropriate,  
2 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.  
3 2000). This action shall be dismissed for Plaintiff's failure to comply with the April 15, 2015  
4 order to pay the filing fee.

5 Plaintiff is advised that since he is seeking dismissal rather than paying the filing  
6 fee, he is not entitled to any relief in this action.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. This action is dismissed for Plaintiff's failure to pay the filing fee;
- 9 2. All pending motions are terminated; and
- 10 3. The Clerk of the Court is directed to close this action.

11 Dated: May 18, 2015

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15 GARIAND E. BURRELL, JR.  
16 Senior United States District Judge  
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