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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MANUEL ANTONIO GONZALEZ, III,

Plaintiff,

v.

J. RAZO, et al.,

Defendants.

Case No. 1:15-cv-00680 DLB PC

**ORDER DIRECTING CLERK OF COURT TO
RETURN \$400.00 FILING FEE**

Plaintiff Manuel Antonio Gonzalez, III, # T-42888, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on May 4, 2015, along with a motion for leave to proceed in forma pauperis. On May 15, 2015, Plaintiff consented to the jurisdiction of the Magistrate Judge pursuant to 28 U.S.C. § 636(c).

On May 28, 2015, the Court determined that Plaintiff is subject to 28 U.S.C. § 1915(g), having brought an action on three or more occasions that was dismissed on grounds of being frivolous, malicious, or failing to state a claim upon which relief may be granted. The Court issued an order denying Plaintiff's motion for leave to proceed in forma pauperis, and dismissed the action without prejudice to refiling accompanied by the \$400.00 filing fee. Judgment was entered that same date.

On June 5, 2015, Plaintiff filed a notice of appeal to the Ninth Circuit Court of Appeal. On June 19, 2015, the appeal was dismissed pursuant to Plaintiff's notice of voluntary dismissal.

