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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 GREGORY C. BONTEMPS,

11 Plaintiff,

12 v.

13 R. PEREZ and W. SILLAS,

14 Defendants.  
15

1:16-cv-01220-EPG (PC)

ORDER DISMISSING CASE FOR  
FAILURE TO PAY REQUIRED FILING  
FEE  
(ECF NO. 12)

ORDER FOR CLERK TO CLOSE CASE

16 Gregory C. Bontemps ("Plaintiff") is a state prisoner proceeding *pro se* with this civil  
17 rights action pursuant to 42 U.S.C. § 1983.<sup>1</sup> Plaintiff filed the Complaint commencing this  
18 action on August 8, 2016. (ECF No. 1). On September 14, 2016, the Court granted Plaintiff's  
19 application to proceed in forma pauperis. (ECF No. 11).

20 On January 24, 2017, the Court revoked Plaintiff's *in forma pauperis* status. (ECF No.  
21 12). Plaintiff was ordered to pay the \$400.00 filing fee in full within 30 days of the date of  
22 service of that order if he wanted to proceed with this action. (Id. at p. 3). Plaintiff was warned  
23 that "[f]ailure to pay the filing fee within 30 days of the date of service of this order will result  
24 in the dismissal of this action." (Id.).

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27 <sup>1</sup> On August 26, 2016, Plaintiff consented to Magistrate Judge jurisdiction in this action  
28 pursuant to 28 U.S.C. § 636(c) (ECF No. 7), and no other parties have made an appearance. Therefore, pursuant to  
Appendix A(k)(4) of the Local Rules of the Eastern District of California, the undersigned shall conduct any and  
all proceedings in the case until such time as reassignment to a District Judge is required. Local Rule Appendix  
A(k)(3).

1 More than 30 days have passed, and Plaintiff has not responded to the order revoking  
2 his *in forma pauperis* status or paid the required \$400 filing fee.

3 Therefore, IT IS ORDERED that this case is DISMISSED without prejudice. The  
4 Clerk of the Court is directed to CLOSE this case.

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6 IT IS SO ORDERED.

7 Dated: March 8, 2017

/s/ Eric P. Grogan  
8 UNITED STATES MAGISTRATE JUDGE