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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MATTHEW ALLEN,
Plaintiff,
v.
S. HUBBARD, et al.,
Defendants.

Case No. 1:16-cv-01751-BAM (PC)
**ORDER DISCHARGING ORDER TO SHOW
CAUSE WHY THIS ACTION SHOULD NOT
BE DISMISSED FOR FAILURE TO
PROSECUTE AND FAILURE TO OBEY A
COURT ORDER**
(ECF No. 5)

Plaintiff Matthew Allen (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on November 18, 2016 (ECF No. 1), and has consented to magistrate judge jurisdiction. (ECF No. 6.)

On November 22, 2016, the Court issued an order to submit an application to proceed in forma pauperis or pay the filing fee within forty-five (45) days. (ECF No. 3.) Plaintiff failed to submit the application. Therefore, on January 17, 2017, the Court issued an order directing Plaintiff to either (1) complete and return an application to proceed in forma pauperis, or in the alternative, pay the \$400.00 filing fee for this action; or (2) show cause in writing why this action should not be dismissed for failure to prosecute and failure to obey a court order. (ECF No. 5, p. 2.) On January 23, 2017, Plaintiff submitted an application to proceed in forma pauperis. (ECF No. 7.)

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Based on Plaintiff's submission of the application to proceed in forma pauperis, the Court finds good cause to discharge the January 17, 2017 order. Accordingly, the Court's January 17, 2017 order to show cause is HEREBY DISCHARGED. The Court advises Plaintiff that his application to proceed in forma pauperis will be addressed in due course.

IT IS SO ORDERED.

Dated: January 25, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE