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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
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8 GUILLERMO TRUJILLO CRUZ,

9 Plaintiff,

10 v.

11 S. ESCOBAR,

12 Defendant.
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1:16-cv-01770-EPG (PC)

ORDER DISMISSING CASE FOR
FAILURE TO PAY REQUIRED FILING
FEE
(ECF NO. 18)

ORDER DENYING PLAINTIFF'S
APPLICATION TO PROCEED IN
FORMA PAUPERIS
(ECF NO. 22)

ORDER FOR CLERK TO CLOSE CASE

15 Guillermo Trujillo Cruz ("Plaintiff") is a state prisoner proceeding *pro se* with this civil
16 rights action pursuant to 42 U.S.C. § 1983.¹ Plaintiff filed the Complaint commencing this
17 action on November 22, 2016. (ECF No. 1). On December 29, 2016, the Court granted
18 Plaintiff's application to proceed in forma pauperis. (ECF No. 12).

19 On January 24, 2017, the Court revoked Plaintiff's *in forma pauperis* status. (ECF No.
20 18).² Plaintiff was ordered to pay the \$400.00 filing fee in full within 30 days of the date of
21 service of the order revoking his *in forma pauperis* status if he wanted to proceed with this
22 action. (Id. at p. 4). Plaintiff was warned that "[f]ailure to pay the filing fee within 30 days of
23 the date of service of this order will result in the dismissal of this action." (Id.).
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25 ¹ On December 7, 2016, Plaintiff consented to Magistrate Judge jurisdiction in this action
26 pursuant to 28 U.S.C. § 636(c) (ECF No. 7), and no other parties have made an appearance. Therefore, pursuant to
27 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).

28 ² On February 27, 2017, Plaintiff filed another application to proceed in forma pauperis. (ECF
No. 22). For the reasons laid out in the Court's order revoking Plaintiff's *in forma pauperis* status (ECF No. 18),
Plaintiff's application to proceed in forma pauperis will be denied.

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 Accordingly, based on the foregoing, IT IS ORDERED that:

- 4 1. Plaintiff's application to proceed in forma pauperis, which was filed on
5 February 27, 2017, is DENIED;
- 6 2. This case is DISMISSED without prejudice; and
- 7 3. The Clerk of Court is directed to CLOSE this case.

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9 IT IS SO ORDERED.

10 Dated: March 9, 2017

11 /s/ Eric P. Grogan
12 UNITED STATES MAGISTRATE JUDGE
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