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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GUILLERMO TRUJILLO CRUZ,

Plaintiff,

v.

BITER, et al.,

Defendant.

Case No. 1:17-cv-00084-AWI-MJS (PC)

**ORDER DISMISSING CASE FOR
FAILURE TO PAY FILING FEE**

Plaintiff is a state prisoner proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On March 7, 2017, this Court found Plaintiff had incurred more than three strikes under 28 U.S.C. § 1915(g). (ECF No. 5.) The Court thus denied Plaintiff leave to proceed in forma pauperis and directed Plaintiff to pay the filing fee in full within twenty-one days. (*Id.*) More than twenty-one days have passed and Plaintiff has neither paid the fee nor sought an extension of time in which to do so.

A civil action may not proceed absent the submission of the filing fee. 28 U.S.C. §§ 1914, 1915. Based on Plaintiff's failure to comply with the Court's order, dismissal of this action is appropriate. See In re Phenylpropanolamine (PPA) Products Liability Litigation, 460 F.3d 1217, 1226 (9th Cir. 2006); Local Rule 110.

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1 Accordingly, it is HEREBY ORDERED that this action is DISMISSED without prejudice for
2 failure to pay the filing fee. The Clerk of Court is respectfully directed to CLOSE this case.
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4 IT IS SO ORDERED.

5 Dated: May 5, 2017



6 SENIOR DISTRICT JUDGE
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