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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	CHARLES GOODS,) Case No.: 1:17-cv-01009 -DAD- JLT
12	Plaintiff,	ORDER DIRECTING PLAINTIFFS TO PAY THE FILING FEE OR FILE A MOTION TO PROCEED
13	v.	IN FORMA PAUPERIS
14	BAKERSFIELD POLICE DEPARTMENT,))
15	Defendants.	
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17	Plaintiffs initiated this action by filing a complaint on July 31, 2017. As a general rule, all	
18	parties instituting any civil action, suit or proceeding in a United States District Court must pay a filing	
19	fee. 28 U.S.C. § 1915(a). However, the Court may authorize the commencement of an action without	
20	the filing fee "by a person who submits an affidavit that includes a statement of all assets such [person]	
21	possesses that the person is unable to pay such fees or give security therefore." 28 U.S.C. § 1915(a)(1).	
22	Therefore, an action may proceed despite a failure to prepay the filing fee only if leave to proceed in	
23	forma pauperis is granted by the Court. See Rodriguez v. Cook, 169 F.3d 1176, 1177 (9th Cir. 1999).	
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Plaintiff failed to pay the requisite filing fee or to file a motion to proceed IF. Thus, the matter cannot proceed before the Court at this time. Accordingly, the Court **ORDERS**: Plaintiff **SHALL** pay the filing fee within 21 days of service of this order, or 1. 2. Plaintiff **SHALL** file a motion to proceed in forma pauperis within 21 days of service. Failure to comply with this order may result in dismissal of this action pursuant to Local Rule <u>110.</u> IT IS SO ORDERED. /s/ Jennifer L. Thurston Dated: **August 1, 2017** UNITED STATES MAGISTRATE JUDGE