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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MAURICE P. OLIVIER,
Plaintiff,
v.
SCOTT KERNAN,
Defendant.

No. 1:17-cv-01367-DAD-SAB

ORDER DISMISSING CASE WITHOUT
PREJUDICE FOR FAILURE TO PAY FILING
FEE

Plaintiff Maurice P. Olivier is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302 of the United States District Court for the Eastern District of California.

On December 21, 2017, the court adopted the assigned magistrate judge’s findings and recommendations recommending that plaintiff’s motion to proceed *in forma pauperis* be denied because he had previously suffered three or more prior strikes under 28 U.S.C. § 1915(g). (Doc. No. 9.) Plaintiff was ordered to pay the \$400 filing fee in full within twenty-one days and was warned in the court’s prior order that his failure to pay the required filing fee would result in dismissal of this action. (*Id.*) More than twenty-one days have passed following the issuance of the December 21, 2017 order, and plaintiff has failed to pay the required \$400 filing fee in connection with this action. Accordingly, this case will be dismissed.

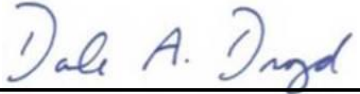
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Given the foregoing:

1. This case is dismissed without prejudice due to plaintiff's failure to pay the \$400 filing fee; and
2. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: March 14, 2018


UNITED STATES DISTRICT JUDGE