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9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA
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12 JESSE L. YOUNGBLOOD,

13 Plaintiff,

14 v.

15 D. OVERLEY,

16 Defendant.
17

No. 1:17-cv-01598-LJO-BAM (PC)

ORDER DISMISSING ACTION WITHOUT
PREJUDICE FOR FAILURE TO PAY FILING
FEE

ORDER DIRECTING CLERK TO
TERMINATE ALL PENDING MOTIONS
AND CLOSE CASE

18 Plaintiff Jesse L. Youngblood is a state prisoner proceeding *pro se* in this civil rights
19 action brought pursuant to 42 U.S.C. § 1983.

20 Plaintiff initiated this action on December 1, 2017. (ECF No. 1.) That same day, Plaintiff
21 filed an application to proceed *in forma pauperis*. (ECF No. 2.)

22 On March 2, 2018, the Court denied Plaintiff's application to proceed *in forma pauperis*
23 and directed Plaintiff to pay the \$400.00 filing fee within twenty-one (21) days of service of that
24 order. (ECF No. 11.)

25 On March 12, 2018, Plaintiff filed a motion in response to the March 2, 2018 order,
26 stating that he is eligible to proceed *in forma pauperis* pursuant to 28 U.S.C. 1915(g) and
27 submitted the appropriate forms to do so. The Court construed Plaintiff's motion as a motion for
28 reconsideration, and denied the motion. (ECF No. 13.)

1 More than twenty-one (21) days have passed since the Court's March 2, 2018 order, and
2 Plaintiff has not paid the filing fee. Plaintiff's action may not proceed absent the submission of
3 the filing fee. 28 U.S.C. § 1914. Based on Plaintiff's failure to comply with the Court's order,
4 dismissal of this action is appropriate. *See In re Phenylpropanolamine (PPA) Prod. Liab. Litig.*,
5 460 F.3d 1217, 1226 (9th Cir. 2006); Local Rule 110.

6 Accordingly, it is HEREBY ORDERED that:

7 1. This action is dismissed, without prejudice, based on Plaintiff's failure to pay the
8 filing fee, and

9 2. The Clerk of the Court shall terminate any and all pending motions and deadlines,
10 and close the case.

11 IT IS SO ORDERED.
12

13 Dated: April 3, 2018

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE