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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TAHEE ABDULLAH RASHEED,

Plaintiff,

No. CIV S-10-0013 DAD P

vs.

DEPARTMENT OF JUSTICE, et al.,

ORDER

Defendants.

_____ /

Plaintiff is a state prisoner proceeding pro se with an action under 42 U.S.C. § 1983, 42 U.S.C. §§ 3769a(b) and 3769b(a)(1), and California Penal Code § 1170.12. Plaintiff has consented to magistrate judge jurisdiction pursuant to 28 U.S.C. § 636(c)(1).

By an order filed May 25, 2010, the court denied plaintiff’s application to proceed in forma pauperis on the basis that the “three strikes” provision of the Prisoner Litigation Reform Act bars the court from granting him that status. Order (Doc. No. 5), filed May 25, 2010 (citing 28 U.S.C. § 1915(g)). Plaintiff was ordered to pay the \$350.00 filing fee, within thirty days, or this action would be dismissed. The thirty-day period has now expired, and plaintiff has not paid the filing fee or otherwise responded to the court’s order.

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1 Accordingly, IT IS HEREBY ORDERED that this action be dismissed without
2 prejudice.

3 DATED: July 7, 2010.

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6 _____
7 DALE A. DROZD
8 UNITED STATES MAGISTRATE JUDGE

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