

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

ALBERT MOUSA,

Petitioner, No. 2:10-cv-0428 JFM (HC)

VS.

GARY SWARTHOUT,

**Respondent.** ORDER

Petitioner has consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c); Consent filed March 1, 2010. By order filed March 9, 2010, petitioner was ordered to file an in forma pauperis affidavit or pay the appropriate filing fees within thirty days and was cautioned that failure to do so would result in a the dismissal of this action. The thirty day period has now expired, and petitioner has not responded to the court's order and has not filed an in forma pauperis affidavit or paid the appropriate filing fee.

Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

DATED: April 22, 2010.

John F. Wark  
UNITED STATES MAGISTRATE JUDGE

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