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

AARON DARIA,

Petitioner,

No. CIV S-10-0526 KJM P

vs.

J.W. HAVILAND,

Respondent.

ORDER

\_\_\_\_\_/

Petitioner is a state prisoner proceeding pro se and has consented to magistrate judge jurisdiction. By an order filed April 5, 2010, petitioner was ordered to file an in forma pauperis affidavit or to pay the appropriate filing fee, within thirty days, or his application would be dismissed. The thirty day period has now expired, and petitioner has not responded to the court's order, has not filed an in forma pauperis affidavit and has not paid the appropriate filing fee. Accordingly, IT IS ORDERED that this action is dismissed without prejudice.

DATED: June 3, 2010.

  
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U.S. MAGISTRATE JUDGE

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