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

10 MIKA ALFARO,

11 Plaintiff,

No. 2:10-cv-00891 JAM KJN

12 vs.

13 BANK OF AMERICA

14 Defendant.

ORDER

15 _____/
16 Plaintiff is proceeding without counsel. In an order issued on April 20, 2010, this
17 court denied plaintiff's application for in forma pauperis status because plaintiff did not meet the
18 indigency requirements of 28 U.S.C. § 1915(a). (Dkt. No. 3.) Hence, plaintiff was obligated to
19 pay the \$350 filing fee to commence a civil action in federal district court. 28 U.S.C. § 1914(a).
20 The court provided plaintiff with twenty days from the date of that order to pay the filing fee.
21 (Dkt. No. 3.) If plaintiff did not pay the filing fee, she was advised that the undersigned would
22 recommend dismissal of her action. (*Id.*)


23 Plaintiff paid her \$350 filing fee on May 5, 2010 via a check. (Court Receipt No.
24 CAE200025974.) However, the undersigned learned on June 3, 2010, that plaintiff's check was
25 returned to the court unpaid by plaintiff's financial institution.

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1 As the Clerk of Court advised plaintiff via a letter dated June 3, 2010, a copy of
2 which is attached hereto, you are now also responsible for an additional fee of \$45 for a check
3 paid into the court which was returned for lack of funds. 28 U.S.C. § 1914. That June 3 letter
4 also advised you that you must remit \$395.00 payable to the Clerk, U.S. District Court, by June
5 14, 2010, and that the amount tendered must be in cash, cashier's check or money order.

6 Accordingly, IT IS HEREBY ORDERED that, by June 14, 2010, plaintiff must
7 remit \$395 in accordance with the terms of the Clerk of Court's June 3, 2010 letter or the
8 undersigned will recommend that the instant action be dismissed without prejudice.

9 DATED: June 3, 2010

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13 KENDALL J. NEWMAN
14 UNITED STATES MAGISTRATE JUDGE
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UNITED STATES DISTRICT COURT

Eastern District of California

Office of the Clerk

501 "I" Street, Suite 4-200

Sacramento, California 95814-7300

Phone: 916-930-4000

Fax: 916-930-4015

Website: www.caed.uscourts.gov

Divisional Office:

2500 Tulare Street, Room 1501

Fresno, California 93721

Marianne Matherly

Chief Deputy Clerk

Victoria C. Minor
Clerk

June 3, 2010

Mika C Alfaro
PO Box 1862
Elk Grove, CA 95759

RE: 210cv891 Alfaro v Bank of America
Check Returned-Bank Unable to Locate Account - FIRST NOTICE

Dear Ms Alfaro:

On May 5, 2010, our office received check # 397 in the amount of \$350.00, for payment of a civil filing fee. Enclosed is a copy of the check returned to the court by the bank.

Pursuant to 28 U.S.C. § 1914, you are required to pay a returned check fee of \$45.00. Please remit \$395.00 payable to the Clerk, U.S. District Court, by June 14, 2010 to avoid further legal action. The amount tendered must be in **cash or by cashier's check or money order**, payable to the U.S. District Court, at the following address:

U.S. DISTRICT COURT
ATTENTION: FINANCE DEPARTMENT
501 I STREET, SUITE #4-200
SACRAMENTO, CA 95814

It is the policy of this office that all further payments to the court must be in the form of cash, money order or cashier's check unless (1) you can show that the error was the fault of the bank, and (2) provide a written statement from the bank acknowledging the error.

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Check Returned-Bank Unable to Locate Account
June 3, 2010

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We appreciate your immediate attention to this matter. If you have any questions or wish to discuss this matter with a member of my financial staff, please call the financial office at 916-930-4027.

Sincerely,

Victoria C. Minor
Clerk of Court

Enc.

cc: Chambers
Financial File