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

BILLY LOUIS BOOKER,

Petitioner,

No. CIV S-11-0050 DAD P

vs.

GARY SWARTHOUT,

Respondent.

ORDER

_____/

On January 14, 2011, the court ordered petitioner to file an in forma pauperis affidavit or pay the required filing fee within thirty days. The court cautioned petitioner that failure to do so would result in the dismissal of this action. The thirty day period has now expired, and petitioner has not responded to the court's order.

Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice.

DATED: March 5, 2011.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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