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

ALTON E. DEAN,

Plaintiff,

No. CIV S-11-0877 EFB P

vs.

H. BRAZIEL, et al.,

Defendants.

ORDER

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Plaintiff is a confined in a county jail and proceeds without counsel in an action brought under 42 U.S.C. § 1983. He seeks leave to proceed *in forma pauperis*. See 28 U.S.C. § 1915(a). This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff’s consent. See 28 U.S.C. § 636; see also E.D. Cal. Local Rules, Appx. A, at (k)(4).

On April 13, 2011, the court found that plaintiff did not pay the required filing fee or submit an application for leave to proceed *in forma pauperis*. Accordingly, the court ordered plaintiff to submit either the filing fee or the application required by § 1915(a) within thirty days. The order warned plaintiff that failure to do so may result in this action being dismissed.

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1           The 30-day period has expired and plaintiff has not paid the filing fee, submitted an  
2 application to proceed *in forma pauperis* affidavit or otherwise responded to the court's order.<sup>1</sup>

3           Accordingly, this action is dismissed without prejudice.

4 Dated: May 26, 2011.

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6 EDMUND F. BRENNAN  
7 UNITED STATES MAGISTRATE JUDGE  
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25           <sup>1</sup> Plaintiff filed a motion for summary judgment and a document styled "Notice of  
26 Motion for Personal Injury Complaint" on April 21, 2011. Neither filings are responsive to the  
April 13 order.