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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WINSTON KEMPER,
Plaintiff,
v.
DR. PIE, et al.,
Defendants.

No. 2:14-cv-0305 KJN P

ORDER TO SHOW CAUSE

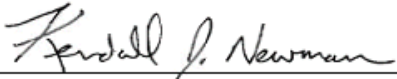
Plaintiff consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). By order filed May 5, 2014, plaintiff was ordered to pay the \$400.00 filing fee within thirty days, and was cautioned that failure to do so would result in the dismissal of this action. The thirty day period has now expired, and plaintiff has not paid the filing fee. On May 16, 2014, plaintiff wrote the Clerk of Court, stating he had enclosed an exhibit verifying he had paid his filing fee (“trust account office statement 4-7-2014, filing fee balance \$51.20, paid”). However, there was no enclosure contained in such filing, and to date, this court has not received any money toward the \$400.00 filing fee. Moreover, in the May 5, 2014 order, plaintiff was informed that the Northern District of California, where plaintiff first filed the instant complaint, confirmed that the Northern District did not receive payment. (ECF No. 13 at 1.) In an abundance of caution, plaintiff is ordered to show cause why this action should not be dismissed based on plaintiff’s failure to pay the \$400.00 filing fee.

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Accordingly, IT IS HEREBY ORDERED that plaintiff show cause, within twenty-one days, why this action should not be dismissed without prejudice. Failure to respond to this order to show cause, and failure to pay the \$400.00 filing fee, will result in the dismissal of this action.

Dated: June 17, 2014

/kemp0305.osc


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE