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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DESHAWN MALONE,
Plaintiff,
v.
JEFFREY BEARD, et al.,
Defendants.

No. 2:14-cv-2096 TLN DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. §1983. On March 1, 2016, the previously assigned magistrate judge granted defendants’ motion to revoke plaintiff’s in forma pauperis status. (ECF No. 28.) On April 14, 2016, plaintiff filed a motion for reconsideration of that order. (ECF No. 29.) On January 26, 2017, the previously assigned district judge denied reconsideration, affirmed the March 1, 2016 order, and ordered plaintiff to pay the filing fee. (ECF No. 37.) Plaintiff was cautioned that his failure to pay the fee would result in dismissal of this action.


Plaintiff then filed an appeal. (See ECF No. 38.) On February 22, 2018, the Ninth Circuit Court of Appeals dismissed the appeal for lack of jurisdiction. (ECF No. 44.)

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Accordingly, IT IS HEREBY ORDERED that within twenty-one days of the date of this order, plaintiff shall submit the \$400.00 filing fee. If plaintiff fails to do so, this court will recommend dismissal of this action.

Dated: February 27, 2018


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

DLB:9
DB/orders/prisoner-civil rights/Malo2096.pay fee