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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHNNY HEARNE,
Plaintiff,
v.
DAVID BAUGHMAN, et al.,
Defendants.

No. 2:16-cv-1996 DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. §1983. In an order filed October 12, 2016, plaintiff was informed that he must pay the filing fee for this action or file a properly completed application to proceed in forma pauperis. (ECF No. 5.) Plaintiff was told that his failure to pay the fee or file the application within thirty days would result in dismissal of this action without prejudice. Plaintiff failed to respond in any way to the October 12 order.

In an order filed November 23, 2016, plaintiff was ordered to show cause why this case should not be dismissed for his failure to comply with the October 12 order. (ECF No. 6.) Plaintiff was informed that his failure to show cause within twenty days would result in dismissal of this case without prejudice.

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Plaintiff has failed to pay the filing fee, file an application to proceed in forma pauperis, or otherwise respond to the court's October 12 and November 23, 2016 orders. Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice. See Fed. R. Civ. P. 41(b); E.D. Cal. R. 110.

Dated: January 3, 2017



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

DLB:9
DLB1/prisoner-civil rights/hear1996.final