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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GUSTAVO C. PARTIDA,
Plaintiff,
v.
ALEXANDER LIU, et al.,
Defendants.

No. 2:17-cv-0694 WBS KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. On May 16, 2017, the undersigned recommended that this action be dismissed based on plaintiff's failure to file a completed application to proceed in forma pauperis or to pay the court's filing fee. On June 16, 2017, plaintiff filed an unsigned letter stating that he has contacted his counselor and is waiting for a certified trust account statement. Plaintiff also states that he has the money in his account to pay the \$400.00 filing fee. (ECF No. 9 at 1.) In addition, plaintiff had surgery on May 30, and was not released from the hospital until June 6, and remains under a doctor's care. (Id.)

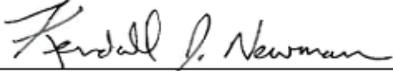
First, plaintiff is cautioned that Rule 11 requires that all court filings must be signed by the party proceeding pro se. Fed. R. Civ. P. 11(a). However, under the circumstances, the undersigned will address plaintiff's filing.

Second, it now appears that plaintiff intends to pay the court's filing fee. This action was filed on May 31, 2017. Plaintiff is advised that he must either pay the filing fee or file an

1 application to proceed in forma pauperis before this action may proceed. Plaintiff has had months
2 to comply with this requirement, yet he has failed to do so. Thus, the undersigned will hold the
3 findings and recommendations in abeyance, and provide plaintiff an extension of time in which to
4 pay the filing fee. However, plaintiff is cautioned that if he fails to pay the filing fee within thirty
5 days from the date of this order, the undersigned will forward the pending findings and
6 recommendations to the district court for adoption, and this action will be dismissed.

7 Good cause appearing, IT IS HEREBY ORDERED that plaintiff is granted thirty days
8 from the date of this order to pay the \$400.00 filing fee. Failure to timely pay the filing fee will
9 result in the dismissal of this action.

10 Dated: June 28, 2017

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13 KENDALL J. NEWMAN
14 UNITED STATES MAGISTRATE JUDGE

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