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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON,  
Plaintiff,  
v.  
CMF WARDEN, et al.,  
Defendants.

No. 2:17-cv-1335 AC P

ORDER

By order filed October 11, 2017, this action was dismissed without prejudice after plaintiff ignored two court orders to submit an application to proceed in forma pauperis or pay the \$400.00 filing fee. ECF No. 10. The second order that issued warned plaintiff that failure to comply would result in the case being dismissed without further warning. ECF No. 8. Now, two weeks after this case was dismissed, and over three months after he was first ordered to submit an application to proceed in forma pauperis, plaintiff has submitted the required application. ECF No. 12. The application is unaccompanied by any explanation as to why plaintiff failed to submit it in a timely manner and this court finds no reason to re-open this case.

Accordingly, IT IS HEREBY ORDERED that:

- 1. Plaintiff's motion to proceed in forma pauperis (ECF No. 12) is denied as moot.

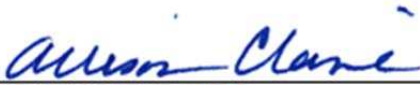
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2. This case shall remain closed.

IT IS SO ORDERED.

DATED: October 30, 2017

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE