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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

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983 and has consented to the jurisdiction of the undersigned magistrate judge for all purposes pursuant to 28 U.S.C. § 636(c) and Local Rule 305(a). ECF No. 3. By order filed July 20, 2017, plaintiff was ordered to submit an application to proceed in forma pauperis or pay the \$400.00 filing fee within thirty days. ECF No. 5. Thirty days have now passed and plaintiff has not filed an application to proceed in forma pauperis, paid the filing fee, or otherwise responded to the order.<sup>1</sup> Plaintiff shall be given one more chance to comply with the court’s July 20, 2017 order. Failure to do so will result in this case being dismissed without further warning.

Accordingly, IT IS HEREBY ORDERED that:

- 1. Within twenty-one days of service of this order, plaintiff must submit an application in

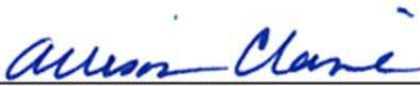
<sup>1</sup> Although the Clerk of the Court has filed two letters from plaintiff since the order was issued, it appears that the letters were sent prior to plaintiff’s receipt of the order. See ECF Nos. 6, 7.

1 support of his request to proceed in forma pauperis or the appropriate filing fee.

2 2. Failure to comply with this order will result in the case being dismissed without further  
3 warning.

4 SO ORDERED.

5 DATED: September 1, 2017

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8 ALLISON CLAIRE  
9 UNITED STATES MAGISTRATE JUDGE  
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