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| 8 | UNITED STATES DISTRICT COURT | |
| 9 | FOR THE EASTERN DISTRICT OF CALIFORNIA | |
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| 11 | ALLEN HAMMLER, | No. 2:19-cv-01423-DAD-JDP (PC) |
| 12 | Plaintiff, | |
| 13 | v. | ORDER DISMISSING ACTION DUE TO PLAINTIFF'S FAILURE TO PAY FILING FEE |
| 14 | E. COTA, et al., | |
| 15 | Defendants. | (Doc. No. 59) |
| 16 | | |
| 17 | Plaintiff Allen Hammler is a state prisoner proceeding pro se in this civil rights action | |
| 18 | pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge | |
| 19 | pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. | |
| 20 | On August 5, 2022, the assigned magistrate judge issued findings and recommendations | |
| 21 | recommending that defendants' motion to revoke plaintiff's in forma pauperis status under 28 | |
| 22 | U.S.C. § 1915(g) be denied because plaintiff had suffered three or more prior strike dismissals | |
| 23 | and that he be ordered to pay the required \$402.00 filing fee in order to proceed with this action. | |
| 24 | (Doc. No. 57.) On September 6, 2022, the undersigned adopted those findings and | |
| 25 | recommendations, revoked plaintiff's in forma pauperis status, and ordered plaintiff to pay the | |
| 26 | \$402 filing fee in full within twenty-one (21) days. (Doc. No. 59.) Plaintiff was cautioned that | |
| 27 | his failure to comply with that order and pay the required filing fee within the specified time | |
| 28 | would result in dismissal of this action. (<i>Id.</i> at 2.) | |

To date, plaintiff has not paid the required filing fee or requested an extension of time to do so, and the deadline to pay the required filing fee has now passed. Accordingly, 1. This action is dismissed without prejudice due to plaintiff's failure to pay the required filing fee; and 2. The Clerk of the Court is directed to close this case. IT IS SO ORDERED. Dale A. Da ED STATES DISTRIC Dated: **October 30, 2022**