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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIALaPATRICK A. JOHNSON,
Plaintiff,

No. C 08-5034 MHP (pr)

ORDER OF DISMISSAL

v.

WAYNE TUCKER,
Chief of Police of Oakland; et al.,
Defendants.

This pro se civil rights action was filed on November 4, 2008, at which time the court notified plaintiff in writing that the action was deficient due to the failure to pay the filing fee or furnish a completed and signed court-approved in forma pauperis application – specifically that he had not used the right form and had not attached a copy of his trust account statement for the last six months. Plaintiff was advised that failure to pay the fee or file the application materials within thirty days would result in dismissal of the action. Plaintiff did not pay the filing fee or submit the trust account statement materials needed to complete his in forma pauperis application. The action is DISMISSED without prejudice for failure to pay the filing fee or submit a completed in forma pauperis application. Plaintiff may file a new action, but should include a filing fee or an in forma pauperis application with a new complaint to commence that new action. The clerk shall close the file.

IT IS SO ORDERED.

Dated: March 10, 2009



Marilyn Hall Patel
United States District Judge