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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER T BABICH

No C-09-698 VRW (PR)

Plaintiff,

v

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION,

ORDER OF DISMISSAL

Defendant.

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This civil rights action by a prisoner was filed on February 18, 2009. Doc #1. Shortly thereafter, the court notified plaintiff in writing that the action was deficient because he did not pay the requisite \$ 350.00 filing fee or, instead, submit a signed and completed court-approved in forma pauperis application, including a completed certificate of funds in the prisoner's account and a copy of the prisoner's trust account statement for the last six months. See 28 USC § 1915(a)(2). Plaintiff was advised that failure to file the requested items within thirty days would result in dismissal of the action. Doc #3. On April 1, 2009, plaintiff requested that the court grant him until May 25, 2009 to file the

1 requested items. Doc #5.

2 To date, plaintiff has not filed the court with the  
3 requisite items, nor has he sought another extension of time to do  
4 so. Accordingly, the action is DISMISSED without prejudice.

5 The clerk shall close the file and terminate all pending  
6 motions as moot.

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9 IT IS SO ORDERED.

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VAUGHN R WALKER  
United States District Chief Judge

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