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United States District Court
For the Northern District of California

E-Filed 8/23/10

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GARY WALTERS,

No. C 10-3092 RS (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

SERGEANT MITCHEL,

Defendant.

_____ /
This is a civil rights action filed by a *pro se* state prisoner pursuant to 42 U.S.C. § 1983. Plaintiff was ordered to pay the filing fee of \$350.00, or file a complete application to proceed *in forma pauperis* (“IFP”) by August 15, 2010, or face dismissal of the action. Plaintiff has not paid the filing fee or filed an IFP application. Accordingly, the action is DISMISSED without prejudice to plaintiff’s paying the filing fee or filing a complete IFP application.

The Clerk shall enter judgment in favor of defendant, and close the file.

IT IS SO ORDERED.

DATED: August 23, 2010


RICHARD SEEBORG
United States District Judge

No. C 10-3092 RS (PR)
ORDER OF DISMISSAL