

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

\*E-Filed 1/28/11\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ANDRE V. JACKSON,  
Plaintiff,

No. C 10-5810 RS (PR)

**ORDER OF DISMISSAL**

v.

APPEALS COORDINATOR,  
Defendant.

United States District Court  
For the Northern District of California

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by a *pro se* state prisoner. Plaintiff was granted 30 days within which he was (1) to file a complete application to proceed *in forma pauperis* (“IFP”) or (2) pay the filing fee of \$350.00. He was informed that if he failed to take either action within 30 days, his action would be dismissed. More than 30 days have passed and plaintiff has not filed an IFP application nor has he paid the filing fee of \$350.00. Accordingly, the action is DISMISSED without prejudice.

A certificate of appealability will not issue. Petitioner has not shown “that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). The Clerk shall enter judgment in favor of defendant, and close the file.

**IT IS SO ORDERED.**

DATED: January 28, 2011

  
RICHARD SEEBORG  
United States District Judge

No. C 10-5810 RS (PR)  
ORDER OF DISMISSAL