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United States District Court
For the Northern District of California

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

TERRY RAY HAWES,
Plaintiff,

No. C 12-1113 WHA (PR)

ORDER OF DISMISSAL

v.

STATE OF CALIFORNIA,
Defendants.

(Docket No. 6)

_____ /

On March 6, 2012, plaintiff, a prisoner of the State of California, filed a letter with the court that was construed as a civil rights action. Thereafter he filed a civil rights complaint. On the day he filed his letter, however, the clerk notified him that he had neither paid the filing fee nor filed an application to proceed in forma pauperis (“IFP”). Along with the notice, the clerk mailed to plaintiff the court’s IFP forms, instructions for completing the forms, and a stamped return envelope. In the notice, plaintiff was informed that the case would be dismissed if he did not either pay the fee or file a completed IFP application within thirty days. Plaintiff filed an incomplete IFP form; specifically he did not submit a certificate of funds completed and signed by a prison official or a prison trust account statement, despite being instructed that these documents were necessary in order to complete the IFP application.


Accordingly, this case is **DISMISSED** without prejudice to filing a new action in which plaintiff either pays the filing fee or files a complete IFP application. The

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incomplete IFP application is **DENIED** as moot. The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

Dated: April 20, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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