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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM KIRKPATRICK, JR.,
Plaintiff,
v.
KEVIN CHAPPELL,
Defendant.

Case No. 12-6398 JST (PR)

ORDER OF DISMISSAL

On December 18, 2012, plaintiff, a pro se state prisoner, filed this federal civil rights action under 42 U.S.C. § 1983. On the same day the action was filed, plaintiff was ordered to file a complete application to proceed in forma pauperis (“IFP”), or pay the filing fee of \$350.00, within 30 days, or face dismissal of the action.

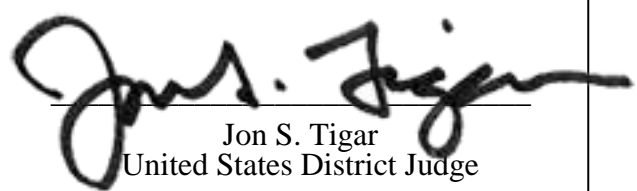
On January 22, 2013, plaintiff filed his IFP application. The IFP application was deficient, however, because the Certificate of Funds in Prisoner’s Account was obviously completed by plaintiff and not by an authorized prison official. Furthermore, plaintiff failed to attach a copy of his prisoner trust account statement showing transactions for the last six months.

More than 30 days have passed and plaintiff has not filed a complete IFP application or paid the filing fee. Accordingly, the action is DISMISSED without prejudice. Plaintiff’s motion to proceed IFP (Docket No. 5) is DENIED as insufficient.

The Clerk shall terminate Docket No. 5 and close the file.

IT IS SO ORDERED.

Dated: April 4, 2013


Jon S. Tigar
United States District Judge