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E-Filed 3/18/13

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TOM NGUYEN,

No. C 13-0663 RS (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

JOHN DOE,


Defendant.

United States District Court
For the Northern District of California

Plaintiff was ordered to, within 30 days, (1) file a complaint, and (2) submit payment for the \$350.00 filing fee, or an application to proceed *in forma pauperis* ("IFP"). More than 30 days have passed and plaintiff has not complied with any of these instructions. Accordingly, the action is DISMISSED without prejudice for failure to comply with the Court's order and, under Federal Rule of Civil Procedure 41(b), for failure to prosecute. Any motion to reopen **must** contain (1) a complaint, **and** (2) either full payment of the filing fee of \$350.00, **or** a complete IFP application. The Clerk shall enter judgment in favor of defendant, and close the file.

IT IS SO ORDERED.

DATED: March 18, 2013


RICHARD SEEBORG
United States District Judge

No. C 13-0663 RS (PR)
ORDER OF DISMISSAL