

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

STEVEN EVERETT MUSTILL,  
Plaintiff,

No. C 13-1095 RS (PR)

**ORDER OF DISMISSAL**

v.

MARION SPEARMAN, et al.,  
Defendant.

The Court ordered plaintiff to, within 30 days, (1) file a signed 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 signed 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 defendants, and close the file.

**IT IS SO ORDERED.**

DATED: April 16, 2013

  
RICHARD SEEBORG  
United States District Judge

No. C 13-1095 RS (PR)  
ORDER OF DISMISSAL