

United States District Court
For the Northern District of California

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

No. C 13-2300 MEJ (PR)

ORDER OF DISMISSAL

LA CHRIS S. BROWN,
Plaintiff,

v.

SANTA CLARA OFFICE OF THE
SHERIFF, et al.,
Defendants.

Plaintiff La Chris S. Brown, a prisoner at the Elmwood County Jail in Milpitas, California, filed a pro se civil rights complaint under 42 U.S.C. § 1983. Plaintiff filed a motion for leave to proceed in forma pauperis (IFP) but did not file a properly completed Certificate of Funds (COF) in Prisoner’s Account form. (Docket No. 5) Under 28 U.S.C. § 1915 (a)(2), a prisoner seeking to bring a civil action without prepayment of fees shall file a certified copy of the trust fund account statement (or the institutional equivalent) for the prisoner for the last six-month period immediately preceding the filing of the complaint obtained from the appropriate official at the prisoner’s penal institution.

On June 18, 2013, the Court issued an Order denying Plaintiff’s motion for leave to proceed IFP and granted Plaintiff twenty-eight days from the date of the Oder to either file a COF form signed by a proper officer at his institution showing that Plaintiff qualifies for IFP status, or pay the \$400.00 filing fee (\$350.00 filing fee and \$50.00 administrative fee). The filing deadline was July 16, 2013.

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The filing deadline has long passed and Plaintiff has not filed a properly completed COF form, paid the filing fee or communicated with the Court in any manner.

Accordingly, the instant action is DISMISSED without prejudice. The Clerk shall terminate all pending motions, enter judgment, and close the file.

IT IS SO ORDERED.

DATED: August 20, 2013



Maria-Elena James
United States Magistrate Judge