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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAMICHAEL SCOTT,
Plaintiff,

v.

JOHN DOE,
Defendant.

Case No. 13-2719 WHO (PR)

ORDER OF DISMISSAL

Plaintiff has failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of \$350.00. Accordingly, the action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion must contain (1) a complete IFP application, or (2) the full filing fee of \$350.00. The Clerk shall enter judgment in favor of defendant, and close the file.

IT IS SO ORDERED.**Dated:** July 31, 2013

WILLIAM H. ORRICK
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL SCOTT,
Plaintiff,

Case Number: CV13-02719 WHO
CERTIFICATE OF SERVICE

v.

John Doe,
Defendant.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 31, 2013, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the person hereinafter listed, by depositing said envelope in the U.S. Mail.

Michael Scott 683064
Michael Unit
2664 FM 2054
Tennessee Colony, TX 75886

Dated: July 31, 2013


Richard W. Wieking, Clerk
By: Jean Davis, Deputy Clerk