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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 GARY FRANCIS FISHER,  
8 Plaintiff,  
9 v.  
10 ROBERT S. MUELLER, et al.,  
11 Defendants.

Case No. [13-cv-02842-WHO](#) (PR)

**ORDER REOPENING ACTION;**

**ORDER DIRECTING PLAINTIFF TO  
FILE A COMPLAINT ON OR BEFORE  
JULY 15, 2014**

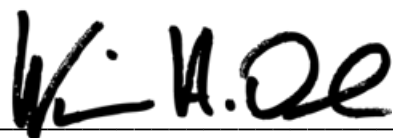
12  
13 This federal civil rights action was dismissed because plaintiff Fisher failed to file a  
14 complaint and an *in forma pauperis* (“IFP”) application by the deadline. Fisher has since  
15 filed an IFP application and a motion to reopen (Docket No. 13). The motion to reopen is  
16 GRANTED. The judgment (Docket No. 9) and the order of dismissal (Docket No. 8) are  
17 VACATED.

18 Fisher still needs to file a complaint. He shall file a complaint on or before July 15,  
19 2014. Failure to file a complaint by the deadline will result in the dismissal of the action,  
20 pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute. A complaint form will be sent to  
21 Fisher.

22 The Clerk shall terminate Docket No. 13. The Court will address Fisher’s IFP  
23 application in a separate order.

24 **IT IS SO ORDERED.**

25 **Dated:** June 2, 2014

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28 WILLIAM H. ORRICK  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

GARY FISHER,  
Plaintiff,

Case Number: CV13-02842 WHO

**CERTIFICATE OF SERVICE**

v.

ROBERT S MUELLAR et al,  
Defendant.

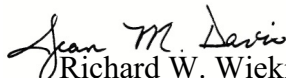
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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 2, 2014, 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.

Gary Francis Fisher F85263  
California State Prison-Sacramento  
A-3-125 New Folsom  
P.O. Box 290066  
Repressa, CA 95671

Dated: June 2, 2014

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