

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

JON GRAY,

Plaintiff,

No. C 13-03513 WHA

v.

CITY AND COUNTY OF SAN FRANCISCO,

Defendant.

**ORDER DENYING
MOTION FOR
RECONSIDERATION**

On October 8, 2013, the undersigned judge adopted Magistrate Judge James’ report and recommendation to dismiss this action without prejudice for failure to comply with court orders (Dkt. No. 21). Plaintiff, however, was given an opportunity to seek leave to file a new complaint if he paid his filing fee and provided proof of service by **NOVEMBER 5, 2013, AT NOON.**

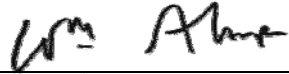
On November 6, 2013, plaintiff filed a motion for reconsideration of the order denying his motion to proceed in forma pauperis. This order notes that plaintiff states in his motion for reconsideration that he is “unemployed and presently is not receiving net income” (Br. at 1). Yet, he also states in the same motion that he “was recently transferred by his *employer* to work in San Jose full time” (*id.* at 2) (emphasis added). Setting aside this possible contradiction, plaintiff has failed to show sufficient cause to reverse the previous order denying his IFP status.

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Plaintiff has failed to file a motion seeking leave to file a new complaint and failed to pay his filing fee by November 5, 2013. Thus, this action is dismissed with prejudice. Judgment will be entered accordingly.

IT IS SO ORDERED.

Dated: November 6, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE