

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANNY CLIFFORD EASTER,
Petitioner,
v.
MARION E. SPEARMEN,
Respondent.

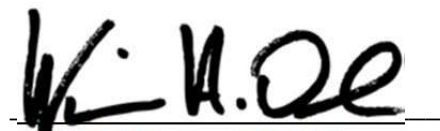
Case No. 13-3784 WHO (PR)

ORDER OF DISMISSAL

Petitioner Danny Easter 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 \$5.00. 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, Easter may move to reopen the action. Any such motion must contain (1) a complete IFP application, or (2) full payment for the filing fee of \$5.00. The Clerk shall enter judgment in favor of respondent, and close the file.

IT IS SO ORDERED.

Dated: September 30, 2013


WILLIAM H. ORRICK
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DANIEL EASTER,
Plaintiff,

Case Number: CV13-03784 WHO

CERTIFICATE OF SERVICE

v.

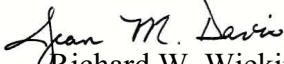
MARION E SPEARMAN et al,
Defendant.

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 September 30, 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.

Danny Clifford Easter AK-1133
CTF-North State Prison
P.O. Box 705
Soledad, CA 93960-0705

Dated: September 30, 2013


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