

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICKY HARRELL,
Plaintiff,

v.

JOHN DOE,
Defendant.


Case No. 13-4018 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: October 21, 2013


WILLIAM H. ORRICK
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RICKY HARRELL,
Plaintiff,

Case Number: CV13-04018 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 October 21, 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.

Ricky Harrell
T23655
480 Alta Road
San Diego, CA 92179

Dated: October 21, 2013


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