

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE ANTONIO RODRIGUEZ,
Plaintiff,
v.
JOHN DOE,
Defendant.

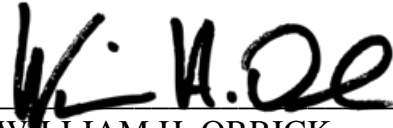
Case No. [13-cv-05504-WHO](#) (PR)

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. He has also failed to file a complaint. 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 full payment for the \$350.00 filing fee, **and** (2) a complaint. The Clerk shall enter judgment in favor of defendant, and close the file.

IT IS SO ORDERED.

Dated: January 16, 2014


WILLIAM H. ORRICK
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOSE ANTONIO RODRIGUEZ,
Plaintiff,

Case Number: CV13-05504 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 January 16, 2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jose Antonio Rodriguez G-45158
Terminal Annex - Cell #13
P.O. Box 86164
Los Angeles, CA 90076-0164

Dated: January 16, 2014


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