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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GARY FISHER,  
Petitioner,  
v.  
J. BROWN,  
Respondent.

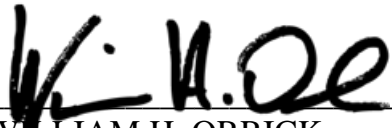
Case No. [14-cv-01174-WHO](#) (PR)

**ORDER OF DISMISSAL**

Petitioner Fisher has failed to comply with the Court’s order to perfect his application to proceed *in forma pauperis* (“IFP”), or pay the full filing fee of \$5.00. The IFP application is deficient because Fisher has not submitted (1) the correct IFP form, (2) a Certificate of Funds completed and signed by an authorized prison officer, and (3) a prison trust account statement showing transactions for the last six months. 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, Fisher may move to reopen the action. Any such motion **must** contain (1) the three documents listed above, **or** (2) full payment for the filing fee of \$5.00. Fisher's IFP application (Docket No. 2) is DENIED as incomplete. The Clerk shall terminate Docket No. 2, enter judgment in favor of respondent, and close the file.

**IT IS SO ORDERED.**

**Dated:** April 23, 2014

  
WILLIAM H. ORRICK  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

GARY FRANCIS FISHER,  
Plaintiff,

Case Number: CV14-01174 WHO  
**CERTIFICATE OF SERVICE**

v.

J BROWN et al,  
Defendant.

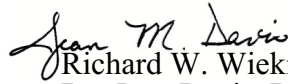
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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 23, 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 Fisher F85263  
Pelican Bay State Prison B-2-105  
P.O. Box 7000  
Crescent City, CA 95532

Dated: April 23, 2014

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