

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHNDELL HENDERSON,
Plaintiff,
v.
A. HEDGPETH, et al.,
Defendants.

Case No. 14-cv-01857-JST (PR)

**ORDER REOPENING ACTION;
DIRECTING PLAINTIFF TO FILE
COMPLETE IN FORMA PAUPERIS
APPLICATION**

On April 23, 2014, plaintiff filed this pro se civil rights action pursuant to 42 U.S.C. § 1983. On the same day the action was filed, plaintiff was ordered to file a complete application to proceed in forma pauperis ("IFP"), or pay the filing fee of \$400.00, within 28 days, or face dismissal of the action. On June 12, 2014, the Court dismissed the action because plaintiff failed to pay the filing fee or file an IFP application within the deadline.

On June 18, 2014, plaintiff filed an "objection to dismissal" stating that he never received any document from the Court requiring him to pay a filing fee or file an IFP application. Plaintiff also represents that he submitted an IFP application as an attachment to his complaint. Plaintiff is advised that the Court has not received an IFP application to date. Accepting as true plaintiff's statements that he attempted to file an IFP application with his complaint and that he never received a deficiency notice, the action is hereby REOPENED. The order of dismissal (Docket No. 6) is VACATED.

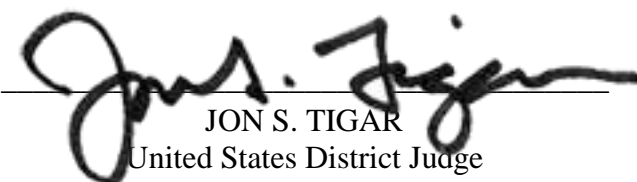
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Plaintiff still needs to file a complete IFP application. Plaintiff is GRANTED 28 days from the date of this order to do so. If a complete application is not filed or the filing fee of \$400 not paid, within 28 days, this case will be dismissed.

The Clerk of the Court shall provide plaintiff with a new prisoner IFP application.

IT IS SO ORDERED.

Dated: June 24, 2014



JON S. TIGAR
United States District Judge