

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDREW GAZZENY,
Plaintiff,

v.

KEVIN CHAPPELL,
Defendant.

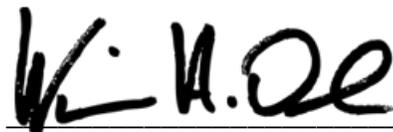
Case No. [14-cv-03269-WHO](#)

ORDER OF DISMISSAL

The Court directed petitioner Andrew Gazzeny to pay on or before October 1, 2004 the \$5.00 filing fee owed in this action. It is well after the deadline, and Gazzeny has not paid the fee. 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, petitioner may move to reopen the action. Any such motion **must** contain 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: October 15, 2014



WILLIAM H. ORRICK
United States District Judge