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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KENNETH OLIVER OWENS,  
Plaintiff,  
v.  
CITY OF MENLO PARK POLICE  
DEPARTMENT,  
Defendant.

Case No. [16-cv-03638-JD](#)

**ORDER OF DISMISSAL**


Re: Dkt. No. 2

This case was opened when plaintiff submitted a civil complaint cover letter to the Court. In an effort to protect his rights, it was filed as a new case. Plaintiff was advised that he needed to file a formal complaint and was given twenty-eight days to do so. He also was sent a notice that he had not paid the filing fee or submitted a complete application for leave to proceed in forma pauperis (“IFP”); again, he was allowed twenty-eight days to either pay the fee or file the application. A copy of the Court’s form for applications to proceed IFP was provided with the notice, along with a return envelope.

More than twenty-eight days has passed and while plaintiff has submitted a complaint, he has not paid the filing fee or filed an application to proceed IFP. Therefore, this case is **DISMISSED** without prejudice and the incomplete motion to proceed IFP (Docket No. 2) is **DENIED**. No fee is due. The Clerk shall close the file.

**IT IS SO ORDERED.**

Dated: August 30, 2016

  
\_\_\_\_\_  
JAMES DONATO  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3 KENNETH OLIVER OWENS,  
4 Plaintiff,

5 v.

6 CITY OF MENLO PARK POLICE  
7 DEPARTMENT,  
8 Defendant.

Case No. [16-cv-03638-JD](#)

**CERTIFICATE OF SERVICE**

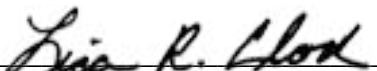
9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.  
10 District Court, Northern District of California.

11  
12 That on August 30, 2016, I SERVED a true and correct copy(ies) of the attached, by  
13 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
14 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery  
15 receptacle located in the Clerk's office.

16  
17 Kenneth Oliver Owens ID: Prisoner Id 290606  
18 Maguire Correctional Facility  
19 300 Bradford Street  
20 Redwood City, CA 94063

21 Dated: August 30, 2016

22  
23 Susan Y. Soong  
24 Clerk, United States District Court

25  
26 By:   
27 LISA R. CLARK, Deputy Clerk to the  
28 Honorable JAMES DONATO