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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DERRICK L. JOHNSON,  
Plaintiff,  
v.  
STATE OF CALIFORNIA, et al.,  
Defendants.

Case No. [16-cv-06897-JD](#)

**ORDER OF DISMISSAL**

Re: Dkt. No. 2

Plaintiff, a state prisoner, has filed a civil rights action. Plaintiff was sent a notice that he had not paid the filing fee or applied for leave to proceed in forma pauperis (“IFP”). He was allowed twenty-eight days to either pay the fee or file a proper application. More than twenty-eight days has passed and plaintiff has not filed an IFP application, paid the filing fee or otherwise communicated with the Court. Therefore, this case is **DISMISSED** without prejudice. Plaintiff’s motion for a temporary restraining order (Docket No. 2) is **DENIED**.

**IT IS SO ORDERED.**

Dated: January 17, 2017

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

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3 DERRICK L. JOHNSON,  
4 Plaintiff,

5 v.

6 STATE OF CALIFORNIA, et al.,  
7 Defendants.  
8

Case No. [16-cv-06897-JD](#)

**CERTIFICATE OF SERVICE**

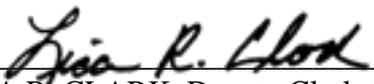
9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.  
10 District Court, Northern District of California.

11  
12 That on January 17, 2017, 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 Derrick L. Johnson ID: CDC AY-7574  
18 CDC  
19 P.O. Box 1050  
20 Soledad, CA 93960

21 Dated: January 17, 2017

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