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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT,
Plaintiff,
v.
WEST VALLEY STAFFING GROUP, et
al.,
Defendants.

Case No. [16-cv-07234-MMC](#)

**ORDER SETTING ASIDE AND
VACATING ORDER OF DISMISSAL
AND JUDGMENT; DIRECTIONS TO
PLAINTIFF**

On February 8, 2017, the Court issued an order denying plaintiff William J. Whitsitt's application to proceed in forma pauperis and also informing plaintiff that his complaint was missing a page and not formatted in compliance with the Civil Local Rules of this District. By said order, the Court further directed plaintiff that, should he wish to proceed with the above-titled action, he was required to do the following no later than February 24, 2017: (1) pay the filing fee to the Clerk of the Court or file a new application to proceed in forma pauperis and (2) file a corrected version of his complaint. On March 1, 2017, no filing fee having been paid or corrected application or complaint having been filed, the action was dismissed and judgment was entered thereon.

On March 30, 2017, plaintiff filed, in Case No. 16-0797, an "Answer to Show Cause and Notice of Change of Address," in which plaintiff endeavors to explain not only the reasons for his failure to comply with orders issued in that action but with the order issued in the above-titled action as well. The Court finds plaintiff's response, although not a model of clarity as to the chronology of events assertedly affecting plaintiff's ability to comply with the Court's orders, suffices to show good cause for his non-compliance.

Accordingly, the Order of Dismissal and judgment thereon are hereby SET ASIDE


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and VACATED.

In light of the above, should plaintiff wish to proceed with the instant action, he must, no later than April 21, 2017, (1) pay the filing fee to the Clerk of the Court or file a new application to proceed in forma pauperis and (2) file a corrected version of his complaint. If, by April 21, 2017, plaintiff has not paid the filing fee or submitted a sufficient application to proceed in forma pauperis, the Court will dismiss plaintiff's complaint without prejudice.

IT IS SO ORDERED.

Dated: April 4, 2017


MAXINE M. CHESNEY
United States District Judge