1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 7 FOR THE NORTHERN DISTRICT OF CALIFORNIA 8 9 10 JEREMIAH W. BALIK, 11 No. C 17-00455 WHA Plaintiff, 12 v. 13 CHOCOLATE SHOPPE ICE CREAM CO., INC., CITY OF SAN BERNARDINO, and ORDER DISMISSING ACTION 14 RODEWAY INN SAN BERNARDINO 15 Defendants. 16 17 Defendant has failed to pay the filing fee, which was due on February 17 (Dkt. Nos. 18 5, 13). This action is hereby **DISMISSED** for lack of prosecution. Judgment will follow. 19 20 IT IS SO ORDERED. 21 22 Dated: February 28, 2017. 23 UNITED STATES DISTRICT JUDGE 24 25 26 27 28