

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MANUEL HERRERA-GARCIA,
Plaintiff,
v.
KERN VALLEY STATE PRISON,
Defendant.

Case No. 17-cv-00841 EDL (PR)
ORDER OF DISMISSAL

On February 21, 2017, Plaintiff, an inmate at Kern Valley State Prison, filed a *pro se* civil rights complaint under 42 U.S.C. § 1983.¹ Plaintiff also filed an order dated January 27, 2017, from the United States District Court for the Eastern District of California, in which Plaintiff was authorized to proceed *in forma pauperis* (“IFP”) in a habeas proceeding. Dkt. No. 1 at 4. Upon receipt of the filings, the Clerk sent a notice to Plaintiff informing him that he had failed to file an IFP application in the instant proceedings, and that failure to file a complete IFP application within 28 days would result in dismissal of the complaint. To date, Plaintiff has failed to file an IFP application or have any further communication with this Court. Accordingly, this case is

¹ Plaintiff has consented to magistrate judge jurisdiction. Dkt. No. 1 at 9.
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DISMISSED without prejudice. The Clerk shall terminate all pending deadlines and close the case.

IT IS SO ORDERED.

DATED: April 3, 2017


ELIZABETH D. LAPORTE
UNITED STATES MAGISTRATE JUDGE