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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONNIE LEE MOODY,
Plaintiff,
v.
WOODS,
Defendant.

Case No. [17-cv-03380-JD](#)

ORDER OF DISMISSAL

Plaintiff, a state prisoner, has filed a civil rights action. Plaintiff 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”). He was allowed twenty-eight days to either pay the fee or file a proper application with all the required documents. More than twenty-eight days has passed and plaintiff has not paid the fee or filed a complete application to proceed IFP. Therefore, this case is **DISMISSED** without prejudice. This case is also dismissed as duplicative because it raises the same claims that were earlier filed in *Moody v. Woods*, No. 17-2688 JD. *See Adams v. Cal. Dept. of Health Services*, 487 F.3d 684, 688 (9th Cir. 2007). To proceed with these claims plaintiff must file an IFP application in the earlier filed case, *Moody v. Woods*, No. 17-2688.

IT IS SO ORDERED.

Dated: August 8, 2017



JAMES DONATO
United States District Judge

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 RONNIE LEE MOODY,
5 Plaintiff,
6 v.
7 WOODS,
8 Defendant.

Case No. [17-cv-03380-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 8, 2017, I SERVED a true and correct copy(ies) of the attached, by placing
13 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 Ronnie Lee Moody
18 CDC #AX 4388
19 P.O. Box #4610
20 Lancaster, CA 93536

21 Dated: August 8, 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