

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 GARY DALE BARGER,
5 Plaintiff,

6 v.

7 UNITED STATES,
8 Defendant.

Case No. [17-cv-06719-WHO](#) (PR)

ORDER OF DISMISSAL

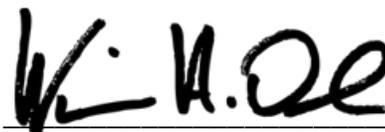
Dkt. Nos. 4 and 6

9
10 Plaintiff Gary Dale Barger, aka Gary Francis Fisher, aka Sonny Barger, has failed to
11 comply with the Court's order to (1) file a complete application to proceed *in forma*
12 *pauperis* ("IFP"), or (2) pay the full filing fee of \$400.00. His IFP application lacks two
13 necessary documents: a Certificate of Funds completed and signed by an authorized
14 prison officer, and a prison trust account statement showing transactions for the last six
15 months. Accordingly, the action is DISMISSED without prejudice for failing to respond
16 to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this
17 dismissal is without prejudice, Barger may move to reopen the action. Any such motion
18 **must** contain a complete IFP application, which includes the two documents mentioned
19 above, **or** full payment for the \$400.00 filing fee.

20 Barger's IFP application (Dkt. Nos. 4 and 6) are DENIED as insufficient. The
21 Clerk shall terminate Dkt. Nos. 4 and 6, enter judgment in favor of defendant, and close
22 the file.

23 **IT IS SO ORDERED.**

24 **Dated:** January 10, 2018

25 

26 WILLIAM H. ORRICK
27 United States District Judge
28