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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANNY JAMES COHEA, J13647,

Plaintiff,

v.

C. E. DUCART, et al.,

Defendant(s).

Case No. [18-cv-03349-CRB](#) (PR)

(9th Cir. Case No. 20-15786)

ORDER OF DISMISSAL

On March 30, 2020, the court granted defendants' motion to revoke plaintiff's in forma pauperis (IFP) status pursuant to 28 U.S.C. § 1915(g) and gave plaintiff 28 days to pay the requisite \$400.00 filing fee. The court made clear that "[f]ailure to pay the filing fee within the designated time will result in the dismissal of this action without prejudice to bringing it in a new paid complaint." Mar. 30, 2020 Order (ECF No. 32) at 5.

More than 28 days have passed yet plaintiff has not paid the filing fee or sought an extension of time to do so; rather, he opted to file a notice of appeal of the court's March 30, 2020 order. See ECF No. 34. The instant action is DISMISSED without prejudice to bringing it in a new paid complaint.

The clerk shall serve a copy of this order on the parties and on the Ninth Circuit.

IT IS SO ORDERED.

Dated: May 13, 2020



CHARLES R. BREYER
United States District Judge