

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON, C47370,
Plaintiff,
v.
NANCY E. O'MALLEY, et al.,
Defendant(s).

Case No. [20-cv-05375-CRB](#) (PR)

ORDER OF DISMISSAL

This civil action by a prisoner was filed in the Eastern District of California on July 24, 2020 and transferred to this court on August 4, 2020. This court notified plaintiff in writing at that time, August 4, 2020, that the action was deficient because plaintiff did not pay the requisite \$400.00 filing fee or, instead, submit a signed court-approved in forma pauperis application, including a completed certificate of funds in the prisoner's account and a copy of the prisoner's trust account statement for the last six months. See 28 U.S.C. § 1915(a)(2). Plaintiff was advised that failure to file the requested items within 28 days would result in dismissal of the action.

More than 28 days have elapsed; however, plaintiff has not provided the court with the requisite items or sought an extension of time to do so. The action accordingly is DISMISSED without prejudice.

The clerk shall close the file and terminate all pending motions as moot.

IT IS SO ORDERED.

Dated: September 15, 2020



CHARLES R. BREYER
United States District Judge