

1  
2  
3 IN THE UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
5

6 TONY BLACKMAN,

No. C 10-05743 SBA (PR)

7 Plaintiff,

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

8 v.

9 SALINAS VALLEY STATE PRISON, et al.,

10 Defendants.  
\_\_\_\_\_ /

11  
12 On December 9, 2010, Plaintiff, a state prisoner, filed the present pro se prisoner complaint  
13 under 42 U.S.C. § 1983. On December 20, 2010, this case was transferred from the Eastern District  
14 to this Court. On that same date the Clerk of the Court sent a notice to Plaintiff, informing him that  
15 his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma  
16 pauperis application. The Clerk sent Plaintiff a blank in forma pauperis application and told him  
17 that he must pay the fee or return the completed application within thirty days or his action would be  
18 dismissed. More than thirty days have passed and Plaintiff has not paid the filing fee, returned the in  
19 forma pauperis application or otherwise communicated with the Court.

20 Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Court has rendered  
21 its final decision on this matter; therefore, this Order TERMINATES Plaintiff's case. The Clerk of  
22 the Court shall close the file.

23 IT IS SO ORDERED.

24 DATED: 2/1/11

\_\_\_\_\_  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4  
5  
6 TONY BLACKMAN,  
7 Plaintiff,

Case Number: CV10-05743 SBA

**CERTIFICATE OF SERVICE**

8 v.

9 SALINAS VALLEY STATE PRISON et al,  
10 Defendant.

11  
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
Court, Northern District of California.

13 That on February 2, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
located in the Clerk's office.

16  
17 Tony Blackman V-22349  
18 Salinas Valley State Prison  
19 P.O. Box 1050  
Soledad, CA 93960-1050

20 Dated: February 2, 2011

21 Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk