

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

3
4 PAUL SAMUEL JOHNSON,
5 Plaintiff,
6 v.
7 MELLISA MCKINNEY, et al.,
8 Defendants.

Case No.: 12-02924 CW (PR)
ORDER OF DISMISSAL WITHOUT
PREJUDICE

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11 Plaintiff filed the present pro se civil rights action and an
12 application seeking leave to proceed in forma pauperis (IFP) when
13 he was incarcerated at the California State Prison - Solano.
14 Thereafter, when Plaintiff informed the Court that he was going to
15 be released, the Court directed him either to pay the filing fee
16 or file a non-prisoner IFP application. Docket no. 7. Plaintiff
17 was not released at that time; consequently, he filed a new
18 prisoner IFP application. Docket no. 14. Subsequently, Plaintiff
19 was released and no longer is incarcerated.

20 By Order dated December 4, 2012, the Court denied Plaintiff's
21 request to proceed IFP and informed him that, because he has been
22 released from custody, he now must apply to proceed IFP under the
23 general provisions of 28 U.S.C. § 1915(a)(1) or he must pay the
24 \$350.00 filing fee. The Court ordered Plaintiff to pay the fee or
25 submit a completed non-prisoner IFP application no later than
26 fourteen days from the date of the order. The Court informed
27 Plaintiff that if he failed to comply with the order, the case
28 would be dismissed without prejudice. The Clerk of the Court sent

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Plaintiff a blank non-prisoner IFP application with the order.

More than fourteen days have passed since the Court's order issued and Plaintiff has not complied with the order or otherwise communicated with the Court.

Accordingly, this case is hereby DISMISSED without prejudice.

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

Dated: 12/27/2012



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE