

United States District Court
For the Northern District of California

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

CHALEDEEANNKA EBERWEIN,

No. C-13-02728 DMR

Plaintiff,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE FOR FAILURE TO
PROSECUTE**

v.

PEOPLE OF THE STATE OF CALIFORNIA,
et al.,

Defendants.

On June 13, 2013, Plaintiff Chaledееanka Eberwein filed suit in this Court along with an incomplete application to proceed *in forma pauperis* (“IFP”). [Docket Nos. 1, 2.] On June 20, 2013, the court ordered Plaintiff to file a completed IFP application or to pay the filing fee by no later than July 5, 2013. [Docket No. 4.] On July 2, 2013, the June 20, 2013 Order was returned to the Court as undeliverable. [Docket No. 5.] The court attempted to contact Plaintiff to determine her correct mailing address but was unsuccessful. On July 22, 2013, the court issued a second order to submit a completed IFP application or pay the filing fee by August 2, 2013. [Docket No. 6.] In that order, the court warned Plaintiff that failure to comply would result in dismissal of this action. To date, Plaintiff has neither submitted a completed IFP application nor paid the filing fee. Accordingly, this matter is hereby dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: August 7, 2013

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED
DONNA M. RYU
United States Magistrate Judge
Judge