

United States District Court
For the Northern District of California

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

STEPHEN HENSLEY,
Plaintiff,

No. C 13-04427 SBA (PR)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

v.

GARY SWARTHOUT, et al.,
Defendants.

On September 24, 2013, Plaintiff, a state prisoner, filed a document entitled, "Plaintiff's Motion for . . . Emergency Injunction Against Transfer to Known Contaminated Prison," which was opened as a civil rights action. On that same date the Clerk of the Court sent a notice to Plaintiff, informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk sent Plaintiff a blank in forma pauperis application and told him that he must pay the fee or return the completed application within twenty-eight days or his action would be dismissed. More than twenty-eight days have passed and Plaintiff has not paid the filing fee, returned the in forma pauperis application or otherwise communicated with the Court.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Clerk of the Court shall enter judgment, terminate all pending motions as moot, and close the file.

IT IS SO ORDERED.

DATED: 11/15/2013


SAUNDRA BROWN ARMSTRONG
United States District Judge