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

THEODORE J. LEBLANC, JR.,

Plaintiff,

v.

ALAMEDA COUNTY SHERIFF
DEPARTMENT,

Defendant.

No. C 13-5830 CW (PR)

ORDER OF DISMISSAL WITHOUT
PREJUDICE

(Docket no. 2)

On December 16, 2013, Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983. Included with the complaint was an incomplete application to proceed in forma pauperis. 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 in forma pauperis application. The Clerk sent Plaintiff a blank in forma pauperis application with a warning that he must pay the filing 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, submitted a completed in forma pauperis application, or otherwise communicated with the Court. Plaintiff's motion for leave to proceed in forma pauperis is denied because his application is incomplete. Doc. no. 2.

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This action is DISMISSED WITHOUT PREJUDICE. The Clerk of the Court shall close the file.

IT IS SO ORDERED.

Dated: 2/3/2014


CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE