

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 PARNELL CURTIS,
5 Plaintiff,

6 v.

7 F. BELTRAN, et al.,
8 Defendants.

Case No. [15-cv-02679-DMR](#) (PR)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

9 Plaintiff, a state prisoner, filed the present *pro se* prisoner complaint under 42 U.S.C.
10 § 1983. Plaintiff has consented to magistrate judge jurisdiction in this matter. Dkt. 1 at 7.
11 Plaintiff filed an *in forma pauperis* application and his prisoner trust account statement; however,
12 he filed an incomplete copy of his certificate of funds because it was not signed by an authorized
13 officer at the prison. Dkt. 2.

14 On June 29, 2015, the Clerk of the Court notified Plaintiff that his *in forma pauperis*
15 application was deficient due to the failure to include a certificate of funds that was completed and
16 signed by an authorized officer at the prison. The Clerk further informed him that his action could
17 not go forward until he filed the necessary document within twenty-eight days, and that his failure
18 to do so would result in dismissal of this action. More than twenty-eight days have passed and
19 Plaintiff has not submitted a certificate of funds that has been completed and signed by an
20 authorized officer at the prison.

21 Accordingly, this action is DISMISSED WITHOUT PREJUDICE. Plaintiff's *in forma*
22 *pauperis* application is DENIED as incomplete. Dkt. 2. The Clerk shall enter judgment, terminate
23 all pending motions and close the file.

24 IT IS SO ORDERED.

25 Dated: August 24, 2015



26 DONNA M. RYU
27 United States Magistrate Judge
28

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CERTIFICATE OF SERVICE


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

11
12 That on August 24, 2015, I SERVED a true and correct copy(ies) of the Order of Dismissal
13 Without Prejudice, by placing said copy(ies) in a postage paid envelope addressed to the person(s)
14 hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into
15 an inter-office delivery receptacle located in the Clerk's office.
16

17 Parnell Curtis ID: H-09068
18 31625 Hwy 101 N
19 Soledad, CA 93960

20 Dated: August 24, 2015

21
22 Richard W. Wieking
23 Clerk, United States District Court

24
25 
26 By: _____
27 Ivy Lerma Garcia, Deputy Clerk to the
28 Honorable DONNA M. RYU