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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LAJAZZ A. SMITH,  
Plaintiff,  
v.  
SALINAS VALLEY STATE PRISON,  
et al.,  
Defendants.

Case No. [17-cv-04562-YGR](#) (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

On August 3, 2017, Plaintiff, a state prisoner, filed the present *pro se* prisoner complaint under 42 U.S.C. § 1983 in the United States District Court for the Eastern District of California.

On August 4, 2017, the case was transferred to this District. Dkt. 2.

On August 9, 2017, 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 shall terminate all pending motions and close the file.

IT IS SO ORDERED.

Dated: October 20, 2017

  
YVONNE GONZALEZ ROGERS  
United States District Court Judge