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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM M. MCMILLAN,  
Plaintiff,  
  
v.  
  
,  
  
Defendant.

Case No. [21-cv-05434-PJH](#)

**ORDER OF DISMISSAL**

United States District Court  
Northern District of California

This case was opened when plaintiff, a New Jersey state prisoner proceeding pro se, wrote a letter to the court. In an effort to protect his rights, it was filed as a new case. Plaintiff was informed that he had not filed a complaint and was given twenty-eight days to do so. He also was sent a notice that he had not paid the filing fee or applied for leave to proceed in forma pauperis ("IFP"); again, he was allowed twenty-eight days to either pay the fee or file the application. A copy of the court's form for applications to proceed IFP was provided with the notice. Twenty-eight days has passed and plaintiff has not submitted any filing or otherwise communicated with the court. This case is therefore **DISMISSED** without prejudice. No fee is due.

**IT IS SO ORDERED.**

Dated: September 7, 2021

/s/ Phyllis J. Hamilton  
PHYLLIS J. HAMILTON  
United States District Judge