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E-Filed 3/5/09

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

JOSEPH MATTHEW JONES,

Plaintiff,

v.

THE STATE OF CALIFORNIA,

Defendant.

Case Number C 05-5448 JF (RS)

ORDER DISMISSING ACTION
WITHOUT PREJUDICE FOR
FAILURE TO PAY FILING FEE

After denying Plaintiff's application to proceed *in forma pauperis*, the Court granted Plaintiff until October 24, 2008 to pay the filing fee, and warned Plaintiff that if he did not pay the filing fee the action would be dismissed. Order of 9/18/08. The Court extended the deadline for paying the filing fee to December 1, 2008. Minute Entry of 10/27/08. Plaintiff did not pay the filing fee within the time provided, and still has not paid the filing fee.

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

DATED: 3/5/09


JEREMY FOGEL
United States District Judge

1 Copies of Order served on:

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3 Joseph Matthew Jones

4 1144 Tangerine Way

5 Sunnyvale, CA 94087

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