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United States District Court
For the Northern District of California

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

JOHN RHINE,)	No. C 08-03937 JF (PR)
Plaintiff,)	ORDER OF DISMISSAL
vs.)	
CDC, et al.,)	
Defendants.)	(Docket Nos. 1 & 5)
_____)	

On August 18, 2008, Plaintiff, a state prisoner, filed the instant civil rights action pursuant to 42 U.S.C. § 1983. On that same day, the clerk of the Court sent a notification to Plaintiff that his application for leave to proceed in forma pauperis (Docket No. 2) was insufficient because Plaintiff did not attach a copy of his prisoner trust account statement showing transactions for the last six months. The notification included the warning that the case would be dismissed if Plaintiff failed to respond within thirty days. The Court granted Plaintiff's motion for an extension of time to file the necessary prisoner trust account statement, such that Plaintiff had until November 28, 2008 to complete his in forma pauperis application. The deadline as since passed, and Plaintiff has not paid the filing fee nor filed the necessary prisoner trust account statement to complete his in forma pauperis

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application. Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee or file a completed in forma pauperis application.

The Clerk shall terminate any pending motions (Docket Nos. 1 & 5) and close the file.

IT IS SO ORDERED.

DATED: 12/19/08



JEREMY FOGEL
United States District Judge