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United States District Court
For the Northern District of California

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIE LEE TOLBERT,)	No. C 09-00060 JF (PR)
Plaintiff,)	ORDER OF DISMISSAL
vs.)	
IRS,)	
Defendants.)	(Docket No. 1)

Plaintiff, a California inmate, filed a complaint in pro se pursuant to 42 U.S.C. § 1983. Plaintiff filed a motion for leave to proceed in forma pauperis, which was insufficient because Plaintiff failed to submit a Certificate of Funds in Prisoner’s Account that is completed and signed by an authorized officer of the institution and a copy of Plaintiff’s trust account statement showing transactions for the last six months. (Docket No. 1.) On May 7, 2009, the Court instructed Plaintiff to submit the necessary supporting documents within thirty days of the date of the order. The order included the warning that the case would be dismissed without prejudice if Plaintiff failed to respond in the time provided. (See Docket No. 4.)

The deadline as since passed, and Plaintiff has not filed the necessary

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documents to complete his in forma pauperis 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.

IT IS SO ORDERED.

DATED: 7/30/09



JEREMY FOGEL
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

WILLIE L TOLBERT,
Plaintiff,

Case Number: CV09-00060 JF

CERTIFICATE OF SERVICE

v.

IRS,
Defendant.

_____/

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

That on 8/10/09, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Willie Lee Tolbert V25765
CA State Prison-Folsom
PO Box 290066
Represa, CA 95671

Dated: 8/10/09

Richard W. Wieking, Clerk