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

TOM WINDOM,)	No. C 10-5694 LHK (PR)
)	
Plaintiff,)	ORDER OF DISMISSAL
)	
v.)	
)	
UNKNOWN,)	
)	
Defendant.)	
_____)	

On December 15, 2010, Plaintiff, proceeding pro se, filed a motion to appoint counsel, which commenced this action. The same day, the Clerk notified Plaintiff that he had not paid the filing fee nor had he filed an application to proceed in forma pauperis (“IFP”). The Clerk also notified Plaintiff that he failed to submit a complaint. Along with the deficiency notices, Plaintiff was provided with a new IFP application, instructions for completing it, and was notified that he had to specifically include a Certificate of Funds completed and signed by an authorized officer at the prison, and a stamped return envelope. Plaintiff was further cautioned that his failure to either file a completed IFP application or pay the filing fee within thirty days would result in the dismissal of this action. Plaintiff was also advised that his failure to file a complaint within thirty days would result in the dismissal of this action. To date, Plaintiff has not communicated with the Court.

Accordingly, the instant action is DISMISSED without prejudice to Plaintiff filing a new

1 action in which he either pays the filing fee or files a completed IFP application, and files a
2 complaint.

3 The Clerk shall enter judgment and close the file.

4 IT IS SO ORDERED.

5 DATED: 1/29/11


LUCY H. KOH
United States District Judge

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