

United States District Court
For the Northern District of California

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

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11 IN RE LATWAHN McELROY,) No. C 11-03789 EJD (PR)
12 Plaintiff.) ORDER OF DISMISSAL
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On August 2, 2011, Plaintiff, a prisoner at the California State Prison - Sacramento, filed a letter with this Court complaining of prison conditions. The same day, the Clerk of the Court sent a notification to Plaintiff that he must file a proper complaint within thirty days to avoid dismissal of the action. (Docket No. 2.) The Clerk also sent a separate notice that he did not pay the filing fee or file an In Forma Pauperis ("IFP") Application, and that he must do so within thirty days to avoid dismissal of the action. (Docket No. 3.) The deadline has since passed, and Plaintiff has not filed a complaint, nor has he paid the filing fee or filed an IFP application.

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Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee.

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DATED: October 13, 2011

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EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

IN RE LATWAHN MCELROY,

Case Number: CV11-03789 EJD

Plaintiff.

CERTIFICATE OF SERVICE

/

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 10/14/2011, 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.

Latwahn McElroy P71922
California State Prison-Sacramento
P. O. Box 290066
Represa, CA 95671

Dated: 10/14/2011

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk