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

JAMES E. SMITH,	)	No. C 11-4806 LHK (PR)
	)	
Plaintiff,	)	ORDER OF DISMISSAL
	)	
v.	)	
	)	
KU KLUX KLAN,	)	
	)	
Defendant.	)	
_____	)	

On September 28, 2011, Plaintiff, a state prisoner proceeding *pro se*, filed a civil rights complaint. 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”). Along with the deficiency notice, Plaintiff was provided with a new IFP application and instructions for completing it. 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. To date, Plaintiff has not communicated with the Court. Accordingly, the instant action is DISMISSED without prejudice to Plaintiff filing a new action in which he either pays the filing fee or files a completed IFP application. The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.  
DATED: 11/11/11

  
LUCY H. KOH  
United States District Judge