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

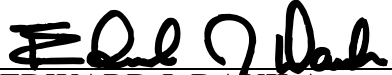
JAMES BOBBY DAVENPORT, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DEPUTY PONCE, et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

No. C 13-00280 EJD (PR)  
ORDER OF DISMISSAL

On January 23, 2013, Plaintiff’s complaint pursuant to 42 U.S.C. § 1983 was transferred to this district. On February 1, 2013, the Clerk sent Plaintiff a notice that he had not filed an In Forma Pauperis (“IFP”) application or paid the filing fee and the case would be dismissed if neither was submitted to the Court within thirty days. (Doc. No. 5.) The deadline has passed and Plaintiff has not filed an IFP application or paid the filing fee. Accordingly, Plaintiff’s case is DISMISSED without prejudice.

The Clerk shall terminate any pending motions and close the file.

DATED: 3/25/2013

  
EDWARD J. DAVILA  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JAMES BOBBY DAVENPORT,  
Plaintiff,

Case Number CV 13-00280 EJD (PR)

v.

**CERTIFICATE OF SERVICE**

DEPUTY PONCE, et al.,  
Defendants.

\_\_\_\_\_ /

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 3/26/2013, 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) inter-office delivery receptacle located in the Clerk's office.

**James Bobby Davenport**  
P-78569  
P.O. BOX 290066  
REPRESA, CA 95671-0066

DATED: 3/26/2013

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