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**FILED**

MAR 11 2015

**RICHARD W. WIEKING**  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JAVIER JOEL LEYVA,	)	Case No. C 15-0293 LHK (PR)
	)	
Plaintiff,	)	<b>ORDER OF DISMISSAL</b>
	)	
v.	)	
	)	
SANTA CLARA COUNTY,	)	
	)	
Defendant.	)	

On January 21, 2015, plaintiff, proceeding *pro se*, filed a federal civil rights action and a motion to proceed in forma pauperis (“IFP”). That same day, the clerk notified plaintiff that he had not paid the filing fee, and his motion to proceed IFP was incomplete. (Docket No. 3.) Along with the deficiency notice, plaintiff was provided with a blank IFP application and instructions for completing it. Plaintiff was further cautioned that his failure to file a completed IFP application or pay the filing fee within twenty-eight days would result in the dismissal of this action.<sup>1</sup> More than twenty-eight days have passed and plaintiff has not paid his filing fee or filed a completed IFP application. Thus, the instant action is **DISMISSED** without prejudice. The clerk shall terminate all pending motions, enter judgment, and close the file.

<sup>1</sup> On March 5, 2015, this action was reassigned to the undersigned judge.

IT IS SO ORDERED.

DATED: 3/11/2015

Lucy H. Koh  
LUCY H KOH  
United States District Judge

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