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**FILED**  
**OCT 30 2015**  
SUSAN Y. SOONG  
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

|                  |   |                             |
|------------------|---|-----------------------------|
| TIMOTHY O'KEEFE, | ) | Case No. C 15-4048 LHK (PR) |
|                  | ) |                             |
| Plaintiff,       | ) | ORDER OF DISMISSAL          |
|                  | ) |                             |
| v.               | ) |                             |
|                  | ) |                             |
| UNKNOWN,         | ) |                             |
|                  | ) |                             |
| Defendant.       | ) |                             |

On September 4, 2015, plaintiff, proceeding *pro se*, filed a letter which initiated the opening of this case. That same day, the Clerk provided plaintiff with a blank copy of the court's complaint by a prisoner form. In addition, the Clerk notified plaintiff that he had not paid the filing fee. Along with the Clerk's deficiency notice, plaintiff was provided with a blank *in forma pauperis* ("IFP") application and instructions for completing it. Plaintiff was cautioned that his failure to file a complaint on the proper form and a completed IFP application or pay the filing fee within twenty-eight days would result in the dismissal of this action without further notice.

Plaintiff has filed a motion for an extension of time within which to file a complaint. However, more than twenty-eight days have passed from the date the Clerk's notices were sent, and plaintiff has not responded to the Clerk's deficiency notice regarding the filing fee. Thus,

1 the instant action is **DISMISSED** without prejudice. The Clerk shall terminate all pending  
2 motions, enter judgment, and close the file.

3 IT IS SO ORDERED.

4 DATED: 10/29/2015

*Lucy H. Koh*  
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LUCY H. KOH  
United States District Judge

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