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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

KING ROMANO RA PHARAOH
BEAUJAYAM ALI EL YASHU,

Plaintiff,

v.

THE ARREST, et al.,

Defendants.

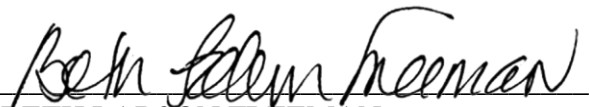
Case No. [16-cv-06637-BLF](#)

ORDER DISMISSING CASE

On January 4, 2017, this Court issued an order to show cause (“OSC”) why this case should not be dismissed. ECF 7. In the OSC, the Court ordered Plaintiff to file an amended complaint *and* either pay the filing fee of \$400.00 or file a renewed application to proceed in forma pauperis (“IFP”) on or before February 2, 2017. The Court explained that failure to file an amended complaint and either pay the filing fee or file a renewed application to proceed IFP would result in dismissal. *Id.* To date, Plaintiff has not complied with the OSC. Accordingly, this action is **DISMISSED WITHOUT PREJUDICE**. *See* Fed. R. Civ. P. 41(b); *Edwards v. Marin Park, Inc.*, 356 F.3d 1058, 1065 (9th Cir. 2004) (“The failure of the plaintiff eventually to respond to the court’s ultimatum . . . is properly met with the sanction of a Rule 41(b) dismissal.”).

IT IS SO ORDERED.

Dated: February 3, 2017


BETH LABSON FREEMAN
United States District Judge