

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ALEXANDER JOHN CUEVAS,  
Plaintiff,  
  
v.  
  
UNITED STATES OF AMERICA,  
Defendant.

Case No. 17-cv-02439 NC (PR)

**ORDER OF DISMISSAL**

On April 28, 2017, Plaintiff, proceeding *pro se*, filed a federal civil rights complaint pursuant to 42 U.S.C. § 1983.<sup>1</sup> That same day, the Court sent a notification to Plaintiff, informing him that he did not pay the filing fee, and his application to proceed in forma pauperis (“IFP”) was incomplete. Specifically, the notification informed Plaintiff that he did not submit a Certificate of Funds in Prisoner’s Account signed by an authorized officer of the correctional facility at which he resides. Plaintiff was warned that the case would be dismissed if he failed to pay the fee, or file a completed application with supporting documentation within twenty-eight days. Dkt. No. 3. Plaintiff has filed a second IFP application and attached Certificate of Funds in Prisoner’s Account. However, the

<sup>1</sup> Plaintiff has consented to magistrate judge jurisdiction. Dkt. No. 6.

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Certificate of Funds is still not signed by an authorized officer. Dkt. No. 7. Given that more than twenty-eight days have passed and Plaintiff has not paid the fee or filed the documents necessary to proceed, the case is **DISMISSED** without prejudice. The Clerk shall terminate all pending motions and close the file.

**IT IS SO ORDERED.**

DATED: June 12, 2017

  
NATHANAEL M. COUSINS  
United States Magistrate Judge