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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TIMOTHY BUCKMAN,
Plaintiff,

Case No. [24-cv-04512-EKL](#)

ORDER OF DISMISSAL

Re: Dkt. No. 1

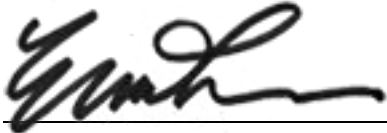
This civil rights action was filed on July 26, 2024. On that date, the Clerk notified Plaintiff that he had neither paid the filing fee nor completed an in forma pauperis application (“IFP”). Dkt. No. 5. The Clerk also notified Plaintiff that he had failed to file a complaint on the provided “Civil Rights Complaint by a Prisoner” form. Dkt. No. 4. Plaintiff was advised that failure to file a signed complaint and to pay the fee or file the application within 28 days would result in dismissal of the action. *See* Docket Nos. 4, 5 (“Notices”).

Plaintiff did not comply with the Notices and the deadline to do so has passed. Accordingly, this federal civil rights action is **DISMISSED** without prejudice for failure to comply with the Notices and for failure to prosecute. *See* Fed. R. of Civ. P. 41(b). Because this dismissal is without prejudice, Plaintiff may ask to reopen the action. To do this, Plaintiff must do the following: (1) file his complaint in accordance with the instructions in the Notices, (2) file a motion with the words **MOTION TO REOPEN** written on the first page, and (3) either pay the filing fee or file his IFP application.

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

IT IS SO ORDERED.

Dated: September 25, 2024



Eumi K. Lee
United States District Judge