

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FREDERICK BANKS,

Plaintiff,

v.

JUDGE MARK HORNAK, et al.,

Defendants.

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C.A. No. 16-10962-ADB

ORDER

BURROUGHS, D.J.

In an order dated June 8, 2016 [ECF No. 4], the Court held that plaintiff Frederick Banks could not proceed *in forma pauperis* in light of the “three strikes” provision of the Prison Litigation Reform Act. *See* 28 U.S.C. § 1915(g). The Court directed Banks to pay the \$400 filing fee and warned him that failure to do so within 35 days would result in dismissal of the action.

The time for complying with the Court’s order has expired and Banks has not paid the filing fee or otherwise communicated with the Court.

Accordingly, this action is **DISMISSED WITHOUT PREJUDICE** for failure to pay the filing fee.

SO ORDERED.

July 20, 2016

/s/ Allison D. Burroughs
ALLISON D. BURROUGHS
UNITED STATES DISTRICT JUDGE