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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WILLIAM WESLEY,
Plaintiff,
vs.
BILL DONAT, *et al.*,
Defendants.

Case No. 3:09-cv-0014-BES-VPC

ORDER

Plaintiff, who is in the custody of the Nevada Department of Corrections, submitted an Application to Proceed *In Forma Pauperis* (#1). Based on the information provided, the Court ordered on May 26, 2009, that plaintiff must pay an initial partial filing fee of \$1.33 within 30 days of the date of the order. (Order, #6). The Court further advised plaintiff that failure to comply with the Court's order would result in dismissal of his action. Plaintiff has not paid anything toward the filing fee to date. Plaintiff has failed to comply with the Court's order.

Additionally, court mail has been returned from the last address given by plaintiff with a notation reflecting that it was undeliverable and unable to forward. Plaintiff has not filed an updated notice of change of address. Plaintiff has failed to comply with Local Rule LSR 2-2, which requires him to immediately file with the Court written notification of any change of address.

IT IS THEREFORE ORDERED that this action shall be **DISMISSED** without prejudice. The Clerk of the Court shall enter final judgment accordingly.

DATED: This 20th day of July, 2009.

UNITED STATES DISTRICT JUDGE