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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

LANCE REBERGER,

Plaintiff,

v.

MICHAEL BYRNE et al.,

Defendants.

Case No. 3:15-cv-00143-MMD-VPC

ORDER

On March 16, 2015, this Court entered an order denying Plaintiff's application to proceed *in forma pauperis* because Plaintiff had three strikes pursuant to 28 U.S.C. § 1915(g) and had not established imminent danger of serious physical injury at the time of filing his motion for temporary restraining order. (ECF No. 3.) The Court ordered Plaintiff to file a complaint and pay the filing fee within (30) days of that order. (*Id.* at 3.) On March 27, 2015, Plaintiff filed a notice of appeal. (ECF No. 5.) On February 27, 2017, the U.S. Court of Appeals for the Ninth Circuit dismissed Plaintiff's appeal. (ECF No. 9.)

This Court now directs Plaintiff to comply with this Court's March 16, 2015, order. If Plaintiff wishes to pursue this action, he will submit a complaint to this Court on or before Friday, March 24, 2017. Additionally, if Plaintiff wishes to pursue this action, he will pay the \$400 filing fee in full on or before Friday, March 24, 2017.

For the foregoing reasons, it is ordered that, if Plaintiff wishes to pursue this action, he will submit a complaint to this Court on or before Friday, March 24, 2017.

It is further ordered that the Clerk of the Court will send to Plaintiff the approved form for filing a 42 U.S.C. § 1983 complaint, instructions for the same, and a copy of his motion for temporary restraining order (ECF No. 1-1).

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It is further ordered that, if Plaintiff wishes to pursue this action, he will pay the \$400.00 filing fee on or before Friday, March 24, 2017.

It is further ordered that the Clerk of the Court will send Plaintiff two (2) copies of this order. Plaintiff will make the necessary arrangements to have one (1) copy of this order attached to the check paying the filing fee.

It is further ordered that, if Plaintiff does not file a complaint and pay the full \$400.00 filing fee on or before Friday, March 24, 2017, this action will be dismissed without prejudice. No extensions will be granted.

DATED THIS 6th day of March 2017.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE