Ryan v. The State of Texas Doc. 8

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE NORTHERN DISTRICT OF TEXAS**
**DALLAS DIVISION**

| | | |
|---|---|---|
| **ALFONSO D. RYAN,** | ) | |
| **ID # 1908394,** | ) | |
| **Petitioner,** | ) | |
| **vs.** | ) | **No. 3:16-CV-3271-K (BH)** |
| | ) | |
| **THE STATE OF TEXAS,** | ) | **Referred to U.S. Magistrate Judge** |
| **Respondent.** | ) | |

**ORDER**

Pursuant to *Special Order 3-251*, this case has been automatically referred for findings, conclusions, and recommendation. On January 30, 2017, it was recommended that this action be dismissed pursuant to Fed. R. Civ. P. 41(b) for want of prosecution because the petitioner had failed to pay the $5 filing fee in this action as ordered. On February 16, 2017, his filing fee was received. The findings, conclusions, and recommendation dated January 30, 2017 (doc. 7), are **VACATED**. The petitioner's *Application to Proceed In Forma Pauperis,* with a certificate of trust fund account, received November 22, 2016 (doc. 5), is **DEEMED MOOT**.

**SIGNED this 17th day of February, 2017.**

IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE

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