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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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ANTHONY GARNER,  
Plaintiff,

v.

VICTOR KERSEY et al.,  
Defendants.

**MEMORANDUM DECISION &  
DISMISSAL ORDER**

Case No. 2:17-CV-54-DN

District Judge David Nuffer

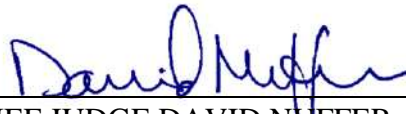
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In an Order dated April 5, 2017, the Court required Plaintiff to within thirty days pay an initial partial filing fee of \$27.86 and submit a consent to have the remaining fee collected in increments from his/her inmate account. To date, Plaintiff has done neither.

IT IS THEREFORE ORDERED that, because plaintiff has failed to comply with the Court's order and has failed to prosecute their case, *see* DUCivR 41-2, Plaintiff's complaint is DISMISSED without prejudice. This case is CLOSED.

Dated this 15<sup>th</sup> day of June, 2017.

BY THE COURT:



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CHIEF JUDGE DAVID NUFFER  
United States District Court