UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ELLIOTT D. GOODIN, Plaintiff, v. MOLLY EKE, Defendant.	NO. 2:22-CV-0253-TOR ORDER OF DISMISSAL WITHOUT PREJUDICE

BEFORE THE COURT is the Clerk's Notice of Deficient Filing. ECF No. 3. The Court has reviewed the record and files herein and is fully informed. For the reasons discussed below, this action is dismissed without prejudice.

On October 27, 2022, Plaintiff Elliott D. Goodin, proceeding *pro se*, filed a civil rights complaint. ECF No. 1. The Clerk of Court sent Plaintiff a Notice of Deficient Filing warning that:

> FURTHER NOTICE IS GIVEN that failure to pay the prescribed Civil Complaint filing fee, OR in lieu of payment of the filing fee, to file the appropriate Application to Proceed In Forma Pauperis (IFP) by 11/10/2022, may subject this case to dismissal by the Court without further notice or opportunity for hearing.

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ECF No. 3. No filing fee or in forma pauperis application has been filed to date.

Parties filing actions in the United States District Court are required to pay filing fees. 28 U.S.C. § 1914(a). An action may proceed without the immediate payment of a filing fee only upon granting of in forma pauperis status. *See* 28 U.S.C. § 1915. Failure to pay the statutory filing fee will result in dismissal of these actions without prejudice. *See Olivares v. Marshall*, 59 F.3d 109, 112 (9th Cir. 1995) (district court has authority to dismiss without prejudice prisoner complaint for failure to pay partial filing fee); *In re Perroton*, 958 F.2d 889, 890 (9th Cir. 1992) (affirming dismissal of appeal of *pro se* litigant for failure to pay required filing fees).

ACCORDINGLY, IT IS HEREBY ORDERED:

This action is **DISMISSED without prejudice** for failing to pay the filing fee or filing a properly completed Application to Proceed In Forma Pauperis pursuant to 28 U.S.C. §§ 1914(a) and 1915(a).

The District Court Executive is directed to enter this Order, enter judgment accordingly, furnish a copy to Plaintiff, and **CLOSE** the file.

DATED November 21, 2022.

THOMAS O. RICE
United States District Judge