

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

KEITH RUSSELL JUDD,)	
)	
Plaintiff,)	
vs.)	NO. CIV-11-624-D
)	
OKLAHOMA STATE ELECTION BOARD,)	
et al.,)	
)	
Defendants.)	

ORDER

On May 9, 2012, the Court entered its Order [Doc. No. 26] adopting the Report and Recommendation of United States Magistrate Judge Doyle Argo [Doc. No. 24] denying Plaintiff's motion to proceed *in forma pauperis* and directing Plaintiff to pay the \$350.00 filing fee no later than 20 days after the May 9, 2012 Order. Plaintiff was advised that failure to do so would result in the dismissal of this action without prejudice.

Plaintiff did not comply. However, he filed a Notice of Appeal [Doc. No. 27] on May 29, 2012, and pursued an appeal to the Tenth Circuit Court of Appeals. On June 21, 2012, the Tenth Circuit filed an Order [Doc. No. 30] dismissing the appeal because of Plaintiff's failure to comply with the Tenth Circuit's filing restrictions imposed in *Judd v. University of New Mexico*, 204 F.3d 1041 (10th Cir. 2000). The Tenth Circuit issued a Mandate [Doc. No. 31] on that same date.

Plaintiff has never responded to this Court's Order directing payment of the filing fee in this case. Accordingly, this action is dismissed without prejudice.

IT IS SO ORDERED this 30th day of July, 2012.

TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE