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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL WINFIELD,

Petitioner,

No. CIV S-08-2531 KJM P

vs.

L.H. SOLIMAN, et al.,

Respondents.

ORDER

_____/

Petitioner is a state prisoner proceeding pro se and in forma pauperis with an application for writ of habeas corpus under 28 U.S.C. § 2254. He has consented to the magistrate judge’s jurisdiction under 28 U.S.C. § 636(c).

By order filed June 10, 2010, the court dismissed petitioner’s amended habeas application and granted thirty days’ leave to file a second amended application. The thirty-day period has now expired, and petitioner has not responded to the court’s order.

Accordingly, IT IS HEREBY ORDERED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

DATED: September 10, 2010.

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U.S. MAGISTRATE JUDGE