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

HELEN SOPHIA PURDY,

Petitioner,

No. 2:12-cv-01830 JAM DAD P

vs.

BUTTE COUNTY SUPERIOR COURT,
et al.,

Respondent.

FINDINGS AND RECOMMENDATIONS

_____/

Petitioner, a former inmate, apparently seeks to challenge a judgment of conviction entered against her in the Butte County Superior Court following her guilty plea pursuant to a plea agreement. Although petitioner filed hundreds of pages of documents related to that conviction she has failed to file a petition for a writ of habeas corpus with this court pursuant to 28 U.S.C. § 2254. On April 11, 2013, the court ordered petitioner to file a habeas petition within thirty days from the service of the court’s order. (ECF #13.) Petitioner was advised that her failure to comply with the court’s order would result in the dismissal of this action. On May 14, 2013, at petitioner’s request, the court granted her an additional thirty-days to file her petition. (ECF #17.) The time provided for petitioner to file her habeas petition in this action has passed and petitioner had not filed a habeas petition or otherwise responded to the court’s order.

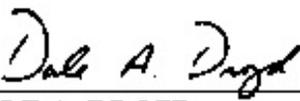
1 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed for
2 petitioner's failure to comply with the court's order.

3 These findings and recommendations are submitted to the United States District
4 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen
5 after being served with these findings and recommendations, petitioner may file written
6 objections with the court. The document should be captioned "Objections to Magistrate Judge's
7 Findings and Recommendations." Any response to the objections shall be filed and served
8 within fourteen days after service of the objections. Petitioner is advised that failure to file
9 objections within the specified time may waive the right to appeal the District Court's order.
10 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

11 In any objections she elects to file, petitioner shall address whether a certificate of
12 appealability should issue in the event she files an appeal of the judgment in this case. See Rule
13 11, Federal Rules Governing Section 2254 Cases (the district court must issue or deny a
14 certificate of appealability when it enters a final order adverse to the applicant).

15 DATED: July 1, 2013.

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19 DALE A. DROZD
20 UNITED STATES MAGISTRATE JUDGE