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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SERGIO OCHOA,
Petitioner,
v.
ANTHONY HEDGPETH,
Respondent.

No. 2:13-cv-1066-EFB P

ORDER

Petitioner, a state prisoner proceeding without counsel, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254.¹

On August 20, 2013, the court dismissed petitioner’s original application for a writ of habeas corpus with leave to amend. The order explained the petition’s deficiencies, gave petitioner thirty days to file an amended petition and warned petitioner that failure to timely file an amended petition could result in this action being dismissed. On September 25, 2013, the court granted petitioner an extension of thirty days in which to file his amended petition. The time for acting has passed and petitioner has not submitted an amended petition or otherwise responded to the court’s order.

¹ This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to petitioner’s consent. See 28 U.S.C. § 636; see also E.D. Cal. Local Rules, Appx. A, at (k)(4).

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Accordingly, it is hereby ORDERED that this action is DISMISSED. Fed. R. Civ. P.
41(b); Rule 12, Rules Governing § 2254 Cases; E.D. Cal. Local Rule 110.

Dated: November 5, 2013.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE