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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MATTHEW LOUIS JOHNSON,  
Petitioner,  
v.  
UNKNOWN,  
Respondent.

No. 2:17-cv-146-EFB P  
ORDER

Johnson<sup>1</sup> filed a letter with the court requesting that he be “immediately” released. ECF No. 1. The letter, however, is not sufficient to commence a civil action. To commence a civil action, a party must file a complaint or a petition. Fed. R. Civ. P. 3; Rule 3, Rules Governing § 2254 Cases; *Woodford v. Garceau*, 538 U.S. 202, 203 (2003). Accordingly, the court informed Johnson on January 26, 2017, that this matter would be closed if he did not properly commence a civil action within 30 days, by filing a petition for writ of habeas corpus, and either paying the filing fee or filing an application for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(a). ECF No. 3. That time period has passed and Johnson has not filed the necessary documents. He did, however, file a letter to the Clerk of the Court stating that he is “not submitting any writs or petitions,” but rather, giving “notice” that CDCR is “failing to comply with the law.” ECF No. 4 at 2.


<sup>1</sup> Johnson, referred to in the caption for administrative purposes as “Petitioner,” is a state prisoner proceeding without counsel.

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As Johnson has not submitted a petition and either paid the filing fee or met the requirements of 28 U.S.C. § 1915(a), there is simply no case before the court.

Accordingly, the Clerk of the Court is hereby directed to close this matter.

DATED: March 13, 2017.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE