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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL OROSCO,
Petitioner,
v.
U.S. DIVISION COURT,
Respondent.

No. 2:17-cv-0627 GGH HC

ORDER¹

Petitioner filed a petition seeking a writ of habeas corpus on March 24, 2017. ECF No. 1. On April 6, 2017, this court issued an Order directing petitioner either to submit an appropriate motion for and affidavit in support of, a request to proceed *in forma pauperis* with his action or to submit the appropriate filing fee within 30 days of the date of the Order. ECF No. 3. In that Order the Magistrate Judge also found that the petitioner had not stated a habeas claim in the filed petition and gave petitioner 45 days from the date of the order to file an amended petition if he so desired. Such a right to amend depended, however, upon petitioner’s compliance with the direction to perfect his right to proceed *in forma pauperis* or payment of a filing fee.

The order gave warning that failure to comply with the Order would result in the dismissal of the action. Petitioner has not submitted either a motion for in forma pauperis status or the appropriate filing fee. Nor has petitioner submitted any amended petition.

¹ Petitioner has consented to proceed before the undersigned pursuant to 28 U.S.C. § (c).

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In light of the foregoing it is THEREFORE ORDERED THAT:

1. The petition is dismissed without prejudice for failure to obey a court Order;
2. The Clerk of the Court shall close this case.

IT IS SO ORDERED.

Dated: May 11, 2017

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE