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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROLANDO ARISMENDEZ,
Petitioner,
v.
M.L. MUNIZ,
Respondent.

No. 2:17-cv-1116-EFB P

ORDER

Mr. Arismendez is a state prisoner proceeding without counsel. This action was opened when he filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. ECF No. 1. However, he did not properly commence a civil action because the petition was not signed and he had neither paid the filing fee nor sought leave to proceed in forma pauperis. See Fed. R. Civ. P. 3; Rule 3, Rules Governing § 2254 Cases; *Woodford v. Garceau*, 538 U.S. 202, 203 (2003).

On June 2, 2017, the court informed him that it could not review his petition because he had not signed it. See Fed. R. Civ. P. 11(a) (requiring that “[e]very pleading, written motion, and other paper . . . be signed by at least one attorney of record in the attorney’s name—or by a party personally if the party is unrepresented.”). The court also warned him that this action would be closed if he did not properly commence a civil action within 30 days, by filing a signed and complete 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). Those 30 days

1 have passed and Mr. Arismendez has not filed the necessary documents or otherwise responded to
2 the court's order.

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

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

6 DATED: July 5, 2017.

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8 EDMUND F. BRENNAN
9 UNITED STATES MAGISTRATE JUDGE
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