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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KY NGO,

Petitioner,

v.

K. SEIBEL,

Respondent.

No. 2:17-cv-1815 AC P

ORDER AND FINDINGS &
RECOMMENDATIONS

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

By order filed September 5, 2017, petitioner was ordered to show cause why the petition should not be dismissed for lack of jurisdiction. ECF No. 7. He was warned that failure to comply with the order would result in dismissal of the petition. *Id.* On October 13, 2017, the court granted petitioner’s request for an extension of time to file his response. ECF No. 9. The time for responding to the order to show cause has now passed and petitioner has neither responded to the order nor sought an additional extension of his deadline.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court randomly assign a United States District Judge to this action.

IT IS FURTHER RECOMMENDED that petitioner’s application for a writ of habeas corpus be dismissed without prejudice for failure to prosecute. Fed. R. Civ. P. 41(b).

