

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

HENRY RODRIGUEZ,
Petitioner,
v.
ROBERT FOX,
Respondent.

Case No. 17-cv-2951-NJV (PR)

ORDER OF DISMISSAL

This pro se habeas action was filed on May 23, 2017. On that same day the court notified petitioner that he had neither paid the five dollar filing fee nor submitted a completed application for leave to proceed in forma pauperis (“IFP”). A copy of the court’s form for applications to proceed IFP was provided with the notice, along with a return envelope. Petitioner was informed that if he did not either pay the fee or file the application within twenty-eight days the case would be dismissed. Petitioner has not paid the filing fee or filed an IFP application.

This case is therefore **DISMISSED** without prejudice. The clerk shall close this file. Because reasonable jurists would not find the result here debatable, a certificate of appealability (“COA”) is **DENIED**. See *Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000) (standard for COA).

IT IS SO ORDERED.

Dated: July 27, 2017



NANDOR J. VADAS
United States Magistrate Judge