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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ENRIQUE SANCHEZ ZAMORA,	)	No. C 07-2701 JSW (PR)
	)	
Petitioner,	)	<b>ORDER DISMISSING HABEAS</b>
	)	<b>PETITION AS IMPROPERLY</b>
vs.	)	<b>FILED AS A NEW ACTION AND</b>
	)	<b>INSTRUCTIONS TO THE CLERK</b>
KRAMER,	)	
	)	
Respondent.	)	
_____	)	

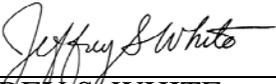
Petitioner, a state prisoner incarcerated at the Sierra Conservation Center in Jamestown, California, filed a previous *pro se* petition for a writ of habeas corpus that was transferred to the United States District Court for the Northern District of California from the Eastern District of California and filed in this Court on November 28, 2006 under Case Number C 06-7310 (JSW) PR. On April 17, 2007, this Court dismissed that petition with leave to file an amended petition within thirty days from the date of that order. The Court specifically informed Petitioner that the amended petition must contain the case number from that case and the words "AMENDED PETITION" on the first page of his submission.

Thereafter, on May 22, 2007, Petitioner filed the instant petition, which does not include the case number for the earlier petition or the words "amended petition." In the petition, Petitioner includes one of the claims raised on the earlier case, which challenges his conviction from Santa Cruz County on May 14, 2003, the same conviction challenged here. The Clerk of Court filed the petition received as a new case. However, it is apparent to this Court that Petitioner mistakenly filed a new petition, instead of his amended petition on the pending case, as intended. Accordingly, this

1 petition is DISMISSED without prejudice. The Clerk of Court is directed to file the  
2 petition filed in this case as an amended petition on Case No. C 06-7310 (JSW) PR and  
3 to amend the header on the petition to reflect that it is an amended petition, responsive to  
4 this Court's earlier order. Petitioner is reminded that he must place the proper case  
5 number for his habeas case on any future filings, so that they are properly filed on his  
6 pending action.

7 IT IS SO ORDERED.

8 DATED: June 6, 2007

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11 JEFFREY S. WHITE  
12 United States District Judge  
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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

ENRIQUE ZAMORA SANCHEZ,  
Plaintiff,

Case Number: CV07-02701 JSW

**CERTIFICATE OF SERVICE**

v.

KRAMER et al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 6, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Enrique Zamora Sanchez  
V09866  
Sierra Conservation Center  
5150 O'Brynes Ferry Road  
Jamestown, CA 95327

Dated: June 6, 2007

  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk

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