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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID LEE WHITE,
Petitioner,
v.
D. K. SISTO, Warden,
Respondent.

No. C 08-2002 TEH (PR)
ORDER OF DISMISSAL

Petitioner, a prisoner of the State of California, has filed a pro se petition for a writ of habeas corpus. On October 8, 2008, the Court dismissed the petition due to certain deficiencies, but granted Petitioner thirty days in which to file an amended petition. The court notified Petitioner that failure to amend by the designated time would result in a dismissal of the case. Petitioner has not filed any amendment. Accordingly, this case is DISMISSED without prejudice for failure to prosecute pursuant to Fed. R. Civ. Proc. 41(b) and failure to comply with the Court's order. The clerk shall close the file and enter judgment in accordance with this order.

SO ORDERED.

DATED: 01/26/09



THELTON E. HENDERSON
United States District Judge