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

MANNY LIU,

No. C 08-4367 WHA (PR)

Petitioner,

ORDER OF DISMISSAL

vs.

BEN CURRY,

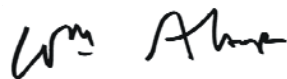
Respondent.

This pro se habeas action was filed on September 17, 2008. On that same day the court notified petitioner that he had neither paid the filing fee nor applied for leave to proceed in forma pauperis ("IFP"). He was given thirty days to do one or the other.

On September 24, 2008, petitioner filed an application for leave to proceed IFP. It did not include the certificate of funds in inmate account page of the form, nor did petitioner attach the trust account printout required by 28 U.S.C. § 1915(a)(2). On October 29, 2008, the clerk sent petitioner another deficiency notice, this time pointing out the absence of the certificate and the printout. On November 10, 2008, petitioner filed an amended complaint, but he has not remedied the IFP deficiency. More than thirty days have passed since the last notice. As a result, this case is **DISMISSED** without prejudice. The clerk shall close this file.

IT IS SO ORDERED.

Dated: December 11, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE