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

CLINTON BRIAN WILSON,  
Petitioner,  
v.  
JAMES E. TILTON, Secretary of  
Department of Corrections,  
Respondent.

No. C 09-0143 MMC (PR)  
**ORDER OF DISMISSAL**

On January 13, 2009, petitioner, a California prisoner proceeding pro se, filed the above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Thereafter, the Court stayed the petition and administratively closed the case while petitioner returned to state court to exhaust state remedies. Most recently, the Court, by order filed October 22, 2009, granted petitioner's request to reopen the case and file an amended petition. In so doing, the Court directed petitioner to file his amended petition within thirty days of the date the Court's order was filed.

More than thirty days have passed from the date the Court's order was filed, and petitioner has not filed an amended petition or otherwise communicated with the Court. Accordingly, the instant action is hereby DISMISSED without prejudice, due to petitioner's failure to comply with the Court's order.

The Clerk shall close the file.

IT IS SO ORDERED.

DATED: December 17, 2010

  
MAXINE M. CHESNEY  
United States District Judge

United States District Court  
For the Northern District of California