

1

2

3

4

5

6

IN THE UNITED STATES DISTRICT COURT

7

FOR THE NORTHERN DISTRICT OF CALIFORNIA

8

9

10 DAVID JOSEPH MAIMONA,

No. C 09-0859 WHA (PR)

11 Petitioner,

**ORDER OF DISMISSAL**

12 vs.


13 SONDRA BYRSON, et al.,

14 Respondents.

15

16 This case was opened when petitioner, a California prisoner currently incarcerated at  
 17 Salinas Valley State Prison, sent the court a form "Certificate of Funds in Inmate Account," a  
 18 trust account printout of the sort usually filed with an application for leave to proceed in forma  
 19 pauperis ("IFP"), and a letter from the Board of Parole Hearings informing him that  
 20 administrative appeals of parole decisions have been abolished. The clerk sent him a notice that  
 21 he had not filed a complaint or petition, and also a notice that he had not filed an IFP  
 22 application. A form for prisoner habeas petitions was included with the notice, as well an IFP  
 23 form and a return envelope.

24 Although petitioner has now filed a complaint on a form for civil rights cases, he has not  
 25 filed an IFP application, and the time to do so has expired. This case therefore is **DISMISSED**  
 26 without prejudice. The clerk shall close the file.

27 **IT IS SO ORDERED.**28 Dated: April 15, 2009.


\_\_\_\_\_  
 WILLIAM ALSUP  
 UNITED STATES DISTRICT JUDGE