

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

MICHAEL A. WALKER,) No. C 09-2464 JSW (PR)
Petitioner,) ORDER OF DISMISSAL
vs.)
B. CURRY, Warden,)
Respondent.)

On June 3, 2009, Petitioner filed this *pro se* petition for a writ of habeas corpus. On the same day that the petition was filed, the Court sent a notification to Petitioner informing him that he had not submitted the filing fee or an application for leave to proceed in forma pauperis. The Court provided a copy of the correct in forma pauperis application, along with a return envelope, and a notification that the case would be dismissed if Petitioner failed to respond to the Court's request within thirty days. Petitioner has neither completed and returned the application nor paid the \$5.00 fee. Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee or submit an forma pauperis application.

IT IS SO ORDERED.

DATED:October 14, 2009

Jeffrey S. White

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL A WALKER,

Case Number: CV09-02464 JSW

Plaintiff,

CERTIFICATE OF SERVICE

V.

BEN CURRY 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 October 14, 2009, 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.

Michael A. Walker
D91638
P.O. Box 689
Soledad, CA 93960-0689

Dated: October 14, 2009

Jennifer Ottolini
111 W. Wacker Dr. - Ch

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