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**United States District Court**  
For the Northern District of California

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

MARCHAN KING,	No. C 09-2638 WHA (PR)
Petitioner,	<b>ORDER OF DISMISSAL;</b>
vs.	<b>DENYING PENDING</b>
MIKE EVANS,	<b>MOTIONS</b>
Respondent.	(Docket Nos. 2 & 5)

This pro se habeas action was filed on June 15, 2009. On that same day the court notified petitioner that his application for leave to proceed in forma pauperis (“IFP”) was deficient because he had provided neither a copy of his inmate trust account nor a certificate of funds in his inmate account. A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. On August 6, 2009, petitioner’s motion for an extension of time to file the inmate account trust statement in support of IFP application was granted. Petitioner was cautioned that if he did not submit an adequate statement within thirty days, the case would be dismissed. No statement, or response, has been received.

This case is therefore **DISMISSED** without prejudice to filing a new petition in which petitioner either pays the filing fee or files a completed IFP application.

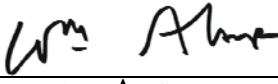
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In light of this dismissal, the defective IFP application (docket number 5) and the motion to stay this case pending exhaustion (docket number 2) are **DENIED**.

The clerk shall close the file.

**IT IS SO ORDERED.**

Dated: September 21, 2009.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE