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

ROBIN SHARP,)	No. C 10-0846 MMC (PR)
Petitioner,)	ORDER OF DISMISSAL; DENYING LEAVE TO PROCEED IN FORMA PAUPERIS
v.)	
RANDY GROUNDS, Warden,)	
Respondent.)	

(Docket No. 2)

On February 26, 2010, petitioner, a California prisoner incarcerated at CTF-Soledad and proceeding pro se, filed the above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Together with his petition, petitioner filed an incomplete application to proceed in forma pauperis (“IFP”). That same date, the Court notified petitioner in writing that the action was deficient due to petitioner’s failure to pay the requisite filing fee or, instead, to submit a completed court-approved IFP application. Specifically, in said notice, petitioner was advised that he must submit a Certificate of Funds in Prisoner’s Account completed and signed by an authorized officer at the prison, and must attach a copy of his prisoner trust account statement showing transactions for the last six months. Petitioner was further advised that his failure to pay the filing fee or, alternatively, to file a completed IFP application, within thirty days, would result in dismissal of the action. Along with said notice, petitioner was sent a copy of the court-approved prisoner’s IFP application, instructions for completing it, and a return envelope.

More than thirty days have passed since the deficiency notice was sent to petitioner

United States District Court
For the Northern District of California

1 and he has not filed a completed IFP application or paid the filing fee. Accordingly, the
2 above-titled action is hereby DISMISSED without prejudice. Additionally, the incomplete
3 application to proceed in forma pauperis is hereby DENIED and no fee is due.

4 This order terminates Docket No. 2.

5 The Clerk shall close the file.

6 IT IS SO ORDERED.

7 DATED: April 23, 2010

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9 MAKINE M. CHESNEY
10 United States District Judge

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