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

TAYLOR STEVEN LANGENDORF,)	No. C 10-1132 JSW (PR)
)	
Plaintiff,)	ORDER OF DISMISSAL AS
)	FILED IN ERROR; NO FEE IS
v.)	DUE
)	
RICHARD KIRKLAND,)	
)	
Defendant.)	
_____)	

Plaintiff, a California prisoner, filed a “motion for disposition” with the Court, which the Clerk construed as a new pro se civil rights action under 42 U.S.C § 1983. However, the document bears the case number C 05-1629, and requests the Court to resolve a petition for a writ of habeas corpus, which was pending before this Court at the time the motion was filed. It appears that this action was opened by the Clerk’s office in error, instead of filing this motion on Petitioner’s then pending case. That matter has since been decided on the merits. Therefore, this new action is now DISMISSED as commenced in error. As a result, no filing fee is due. The Clerk shall close the file and enter judgment in this matter.

IT IS SO ORDERED.

DATED: October 13, 2010



 JEFFREY S. WHITE
 United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 STEVEN LANGENDORF,
6 Plaintiff,
7

Case Number: CV10-01132 JSW

CERTIFICATE OF SERVICE

8 v.

9 UNITED STATES DISTRICT COURT et al,
10 Defendant.
_____ /

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on October 13, 2010, I SERVED a true and correct copy(ies) of the attached, by placing
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
16 delivery receptacle located in the Clerk's office.

17 Taylor Steven Langendorf
18 Kern Valley State Prison
19 P.O. Box 5103
20 P74142
21 Delano, CA 93216

22 Dated: October 13, 2010



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

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