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United States District Court  
For the Northern District of California

\*E-Filed 11/22/10\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DAVID GENE LANCASTER,  
Petitioner,

No. C 10-4651 RS (PR)

**ORDER OF DISMISSAL**


v.

TOM L. CAREY, Warden,  
Respondent.

This is a federal habeas corpus action filed by a *pro se* state prisoner pursuant to 28 U.S.C. § 2254. Petitioner was ordered to file within 30 days a complete application to proceed *in forma pauperis* (“IFP”), or pay the filing fee of \$5.00, or face dismissal of the action. More than 30 days have passed and petitioner has not paid the filing fee, nor has he filed an IFP application. Accordingly, the action is DISMISSED without prejudice to petitioner filing an IFP application, or paying the filing fee. The Clerk shall enter judgment in favor of respondent, and close the file.

**IT IS SO ORDERED.**

DATED: November 22, 2010

  
RICHARD SEEBORG  
United States District Judge

No. C 10-4651 RS (PR)  
ORDER OF DISMISSAL