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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GREGORY LEE GRAY,

No. C 11-3599 RS (PR)

Petitioner,

ORDER OF DISMISSAL

v.

M. MCDONALD,

Respondent.

11 _____ /

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13 This is a federal habeas corpus action filed pursuant to 28 U.S.C. § 2254 by a *pro se*

14 state prisoner. Petitioner was ordered to file a complete application to proceed *in forma*

15 *pauperis* (“IFP”), or pay the filing fee of \$5.00, within 30 days, or face dismissal of the

16 action. More than 30 days have passed and petitioner has not paid the filing fee or filed a

17 complete IFP application. The IFP application is incomplete because petitioner has not

18 included a (1) Certificate of Funds signed by an authorized prison officer (the one he

19 submitted is unsigned), and (2) a prison trust account statement detailing transactions for the

20 last six months. Accordingly, the action is DISMISSED without prejudice to petitioner

21 paying the file fee, or filing both (1) **and** (2) with the Court. Petitioner’s motion to vacate


22 the judgment (Docket No. 2), his motion to appoint counsel (Docket No. 4), and his motion

23 to proceed IFP (Docket No. 5) are DENIED without prejudice. The Clerk shall terminate

24 Docket Nos. 2, 4 & 5, enter judgment in favor of respondent, and close the file.

IT IS SO ORDERED.

DATED: August 25, 2011


RICHARD SEEBOR
United States District Judge

No. C 11-3599 RS (PR)
ORDER OF DISMISSAL