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

EARNEST CASSELL WOODS,

Petitioner,

v.

ROBERT AYERS,

Respondent.

No. C 11-4996 JSW (PR)

ORDER OF DISMISSAL

Petitioner, a California prisoner proceeding pro se, filed this habeas action on October 11, 2011. On the same day, the Clerk notified Plaintiff that he had neither paid the filing fee nor filed an application to proceed in forma pauperis (“IFP”). Along with the notice, the Clerk mailed to Plaintiff the Court’s IFP forms, instructions for completing the forms, and a stamped return envelope. In the notice, Plaintiff was informed that the case would be dismissed if he did not respond to the deficiency notice within thirty days. No response has been received, and the filing fee has not been paid. Accordingly, this case is DISMISSED without prejudice. *See* Fed. R. Civ. P. 41(b). No certificate of appealability is warranted because no reasonable jurist would disagree with the dismissal of this case.

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

DATED: December 21, 2011



JEFFREY S. WHITE
United States District Judge

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

5 EARNEST CASSELL WOODS II,
6
7 Plaintiff,

Case Number: CV11-04996 JSW

CERTIFICATE OF SERVICE

8 v.

9 ROBERT AYERS et al,
10 Defendant.
11

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

13 That on December 21, 2011, 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
delivery receptacle located in the Clerk's office.
16

17 Earnest Cassell Woods
18 P.O. Box 4000
19 Prisoner Id D-58091
Vacaville, CA 95696

20 Dated: December 21, 2011


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