

United States District Court
For the Northern District of California

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

RAYMOND DEGARMO, No. C-12-2194 TEH (PR)
Petitioner, ORDER OF DISMISSAL
v.
SECRETARY OF CALIFORNIA
DEPARTMENT OF CORRECTIONS AND
REHABILITATION, et al.,
Respondents.

_____ /

The Clerk of the Court erroneously opened this case when Petitioner, a state prisoner incarcerated at La Palma Correctional Center in Eloy, Arizona, filed a document entitled, "Petition for a Writ of Habeas Corpus," which is related to his other pending action, DeGarmo v. Secretary of California Dep't of Corrections and Rehabilitation, No. C 11-4859 TEH (PR). Specifically, Petitioner's other pending action is a habeas action that challenges his 2009 judgment of conviction from Contra Costa County Superior Court. The petition filed in the present case is a copy of the petition filed in the other action; the only difference is that Petitioner has

1 updated the petition to name as respondent the warden of his current
2 place of incarceration, La Palma Correctional Center, and removed as
3 respondent the warden of his former place of incarceration, North
4 Fork Correctional Facility. See Doc. #1 at 1-2.

5 Accordingly, this case is DISMISSED because it was opened
6 in error. No filing fee is due. The Clerk shall close the file and
7 deny all pending motions as moot.

8 IT IS SO ORDERED.

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10 DATED 06/04/2012



THELTON E. HENDERSON
United States District Judge

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