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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES KELLY,
Petitioner,

No. C-12-5147 EMC (pr)

v.

ORDER OF DISMISSAL

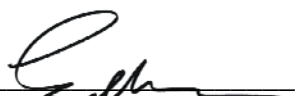
CALIFORNIA STATE CORRECTIONS,
Respondent.

_____ /
This *pro se* action for writ of habeas corpus was filed on October 3, 2012, at which time the Court notified Petitioner in writing that the action was deficient due to his failure to pay the filing fee or submit a completed and signed court-approved *in forma pauperis* application. He was instructed to pay the fee or file the application materials within thirty days, and was warned that the failure to do so would result in the dismissal of this action. Petitioner did not respond. This action is **DISMISSED** without prejudice because Petitioner has failed to pay the \$5.00 filing fee or submit a completed and signed court-approved *in forma pauperis* application. Petitioner is informed that an action complaining about the conditions of confinement at the Corcoran State Prison (as his habeas petition did) should be filed in the U.S. District Court for the Eastern District of California, because that prison is located in Kings County, within the venue of the Eastern District of California.

The Clerk shall close the file.

IT IS SO ORDERED.

Dated: January 2, 2013


EDWARD M. CHEN
United States District Judge