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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID LLOYD SHAFFER,  
Petitioner,

No. C 12-5675 SI (pr)

**JUDGMENT**

v.

HARTLEY, warden,  
Respondent.

\_\_\_\_\_  
This action is dismissed without prejudice to petitioner seeking relief in his existing habeas corpus action that is now pending in the Ninth Circuit.

IT IS SO ORDERED AND ADJUDGED.

DATED: December 17, 2012

  
\_\_\_\_\_  
SUSAN ILLSTON  
United States District Judge

United States District Court  
For the Northern District of California