

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

BLAS CHAVEZ LANDA,  
Petitioner,

No. C 12-6514 WHA (PR)

**ORDER OF DISMISSAL**

v.

MATTHEW CATE,  
Respondent.

On February 28, 2013, petitioner, a California prisoner proceeding pro se, was denied leave to proceed in forma pauperis (“IFP”). He was directed to pay the filing fee of \$5.00 within thirty days because the average monthly deposits to his prison trust account and his average monthly balance over the six months preceding the filing of this action were \$226.07 and \$101.33, respectively. He was cautioned that if he did not pay the filing fee within that time, this case would be dismissed. No response to the order or payment has been received. Accordingly, this case is **DISMISSED** without prejudice to filing a new petition in a new case in which he either pays the filing fee or demonstrates his inability to pay in a properly completed IFP form.

**IT IS SO ORDERED.**

Dated: April 17, 2013.

  
\_\_\_\_\_  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE