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UNITED STATES DISTRICT COURT  
For the Northern District of California

UNITED STATES DISTRICT COURT  
Northern District of California  
San Francisco Division

ALONZO McKINNEY,  
Petitioner,  
v.  
HEDGPETH, Warden,  
Respondent.

No. C 14-864 LB  
**ORDER OF DISMISSAL**  
[Re: ECF No. 1]

\_\_\_\_\_/

Petitioner filed this *pro se* action for a writ of habeas corpus under 28 U.S.C. § 2254 to challenge a conviction from Monterey County Superior Court. The court reviewed the petition, determined that it did not state a claim upon which habeas relief could be granted, and dismissed it with leave to file an amended petition no later than May 2, 2014. *See* ECF No. 6. Petitioner did not file an amended petition, and the deadline by which to do so has passed. Accordingly, this action is dismissed for failure to state a claim upon which relief may be granted. This dismissal is without prejudice to petitioner filing a new action for writ of habeas corpus if he ever is able to state his legal claims and describe the facts in support of those claims. Petitioner is cautioned to act diligently because there is a one-year statute of limitations for the filing of a federal petition for writ of habeas corpus. *See* 28 U.S.C. § 2244(d).

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The clerk shall close the file.

**IT IS SO ORDERED.**

Dated: May 20, 2014

  
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LAUREL BEELER  
United States Magistrate Judge