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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JULIUS DAVID GENOA,  
Petitioner,  
v.  
WARDEN,  
Respondent.

Case No. [15-cv-02459-JD](#)


**ORDER OF DISMISSAL**

Petitioner, a state prisoner, filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition was dismissed with leave to amend because it was incomprehensible and petitioner was incarcerated at a state hospital in the Central District of California. Though, his underlying criminal conviction is from this district. The twenty-eight days to amend has passed and petitioner has not filed an amended petition or otherwise communicated with the Court.

The petition is **DISMISSED** without prejudice. Because reasonable jurists would not find the result here debatable, a certificate of appealability (“COA”) is **DENIED**. *See Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000) (standard for COA).

**IT IS SO ORDERED.**

Dated: November 17, 2015

  
\_\_\_\_\_  
JAMES DONATO  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3 JULIUS DAVID GENOA,  
4 Plaintiff,  
5 v.  
6 WARDEN,  
7 Defendant.  
8

Case No. [15-cv-02459-JD](#)

**CERTIFICATE OF SERVICE**

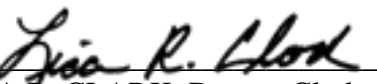
9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.  
10 District Court, Northern District of California.

11  
12 That on November 17, 2015, I SERVED a true and correct copy(ies) of the attached, by  
13 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
14 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery  
15 receptacle located in the Clerk's office.  
16

17 Julius David Genoa ID: J-60908  
18 a.k.a. David Gates  
19 DSH-Atascadero  
20 P.O. Box 7001  
21 Atascadero, CA 93423-7001

22 Dated: November 17, 2015

23 Susan Y. Soong  
24 Clerk, United States District Court

25  
26 By:   
27 LISA R. CLARK, Deputy Clerk to the  
28 Honorable JAMES DONATO