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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM RAY BARTON,
Petitioner,
v.
DAVID BAUGHMAN,
Respondent.

Case No. [17-cv-00945-JCS](#) (PR)

ORDER OF DISMISSAL

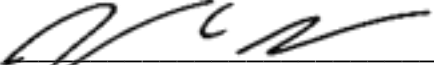
Petitioner has failed to pay the filing fee by the deadline. Accordingly, this federal habeas action is **DISMISSED** without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

Because this dismissal is without prejudice, petitioner may move to reopen this action. Any such motion must contain payment for the \$5.00 filing fee.

The Clerk shall enter judgment in favor of respondent, and close the file.

IT IS SO ORDERED.

Dated: October 4, 2017



JOSEPH C. SPERO
Chief Magistrate Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM RAY BARTON,
Plaintiff,
v.
DAVID BAUGHMAN,
Defendant.

Case No. [17-cv-00945-JCS](#)

CERTIFICATE OF SERVICE

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

That on October 4, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

William Ray Barton ID: B71646
California State Prison, Sacramento
P.O. Box 290066
Represa, CA 95671

Dated: October 4, 2017

Susan Y. Soong
Clerk, United States District Court

By: Karen L. Hom
Karen Hom, Deputy Clerk to the
Honorable JOSEPH C. SPERO