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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTWION E. THOMPSON,
Plaintiff,
v.
CALIFORNIA,
Defendant.

Case No. [17-cv-01526-JSC](#)

**ORDER ADMINISTRATIVELY
CLOSING CASE;
INSTRUCTIONS TO CLERK**

Re: Dkt. Nos. 11, 12

This case was opened based upon a request received from Petitioner, a California prisoner proceeding pro se and incarcerated in the High Desert State Prison (“HDSP”). Petitioner requests access to the results of a statistical study of probation reports of 700 California inmates convicted of first-degree murder, which study was conducted by defense counsel in a capital habeas action in the Eastern District of California. *Frye v. Goughnour*, No. CIV S-99-0628 LKK JFM (E.D. Cal. Mar. 22, 2004). The Petitioner in the instant case states that his probation report was part of that study. He requested and received his probation report, but he would also like to receive a copy of the study. Petitioner should contact the Clerk of the Eastern District of California to request a copy of the study because the *Frye* case is pending there. A federal case is not the proper method for requesting a copy of the study. Accordingly, the Court finds that this case was opened in error and directs the Clerk to administratively close this case.

The Clerk shall also mail a copy of Petitioner’s request (ECF No. 1) and a copy of this order to the Eastern District of California, which can provide Petitioner a copy of the study, or instruct him on how to obtain a copy.

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Petitioner’s applications to proceed in forma pauperis are GRANTED.

IT IS SO ORDERED.

Dated: August 30, 2017


JACQUELINE SCOTT CORLEY
United States Magistrate Judge

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NORTHERN DISTRICT OF CALIFORNIA

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CERTIFICATE OF SERVICE

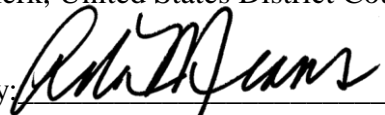
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 30, 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.

Antwion E. Thompson ID: T-68146
High Desert State Prison
P.O. Box 3030
B2-121
Susanville, CA 96127

Dated: August 30, 2017

Susan Y. Soong
Clerk, United States District Court

By: 
Ada Means, Deputy Clerk to the
Honorable JACQUELINE SCOTT CORLEY