

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LEYLANI SIMMONS,
Petitioner,
v.
D. ADAMS,
Respondent.

Case No. [17-cv-04311-WHO](#) (PR)

ORDER OF DISMISSAL

Petitioner Leylani Simmons has not complied with the Court’s order to pay the filing fee by the deadline. Accordingly, this federal habeas action is DISMISSED without prejudice for failing to respond to the Court’s order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b).

Because this dismissal is without prejudice, Simmons may move to reopen the action. Any such motion **must** be accompanied by full 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: November 16, 2017


WILLIAM H. ORRICK
United States District Judge