

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JACOB VALENZUELA, AM1139,
Petitioner,
v.
B. CATES, Warden,
Respondent.

Case No. [21-cv-08129-CRB](#) (PR)

ORDER OF DISMISSAL


This habeas corpus action by a prisoner was filed in the Eastern District of California on October 4, 2021 and transferred to this court on October 6, 2021. On October 18, 2021, this court notified petitioner in writing that the action was deficient because petitioner did not pay the requisite \$5.00 filing fee or, instead, submit a signed and completed court-approved in forma pauperis application, including a completed certificate of funds in the prisoner’s account and a copy of the prisoner’s trust account statement for the last six months. See 28 U.S.C. § 1915(a)(2). Petitioner was advised that failure to file the requested items within 28 days would result in dismissal of the action.

Because the mailing of the October 18, 2021 notice did not include petitioner’s CDCR number (AM1139), the court remailed the notice on October 22, 2021 again advising petitioner that failure to file the requested items within 28 days would result in dismissal of the action.

More than 60 days have elapsed; however, petitioner has not provided the court with the requisite items or sought an extension of time to do so. The action is DISMISSED without prejudice. The clerk is instructed to close the file.

IT IS SO ORDERED.

Dated: January 7, 2022


CHARLES R. BREYER
United States District Judge