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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIAMS CHANEY,

Petitioner,

v.

M. C. KRAMER, et al.,

Respondents.

No. C 08-01230 CW (PR)

ORDER VACATING DISMISSAL OF
PETITIONER'S HABEAS ACTION

Petitioner, a state prisoner, filed this pro se habeas corpus action.

In an Order dated July 22, 2008, the Court dismissed Petitioner's habeas action for failure to pay the filing fee.

On July 25, 2008, Petitioner filed a notice that he paid the \$5.00 filing fee on July 17, 2008. He also attached a copy of his receipt showing that he paid the \$5.00 filing fee on that date.

The record shows that Petitioner paid the filing fee on July 17, 2008. In view of this, it is clear that Petitioner's habeas action was dismissed erroneously. Therefore, the Court's July 22, 2008 Order of Dismissal Without Prejudice is VACATED. The Clerk of the Court shall REOPEN this action.

IT IS SO ORDERED.

Dated: 6/30/09



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 WILLIAMS CHANEY,

5 Plaintiff,

6 v.

7 M.C. KRAMER et al,

8 Defendant.

Case Number: CV08-01230 CW

CERTIFICATE OF SERVICE

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

11 That on June 30, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
14 in the Clerk's office.

15 Williams Chaney E-32647
16 Folsom State Prison
17 300 Prison Road
18 Folsom, CA 95763

19 Dated: June 30, 2009

20 Richard W. Wieking, Clerk
21 By: Sheilah Cahill, Deputy Clerk
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