

United States District Court  
For the Northern District of California

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

In re JOSE LUIS RICO,

No. C 08-05338 SBA (PR)

**ORDER GRANTING PETITIONER AN  
EXTENSION OF TIME TO PAY FILING  
FEE OR FILE CERTIFICATE OF FUNDS**

Petitioner has filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner filed an in forma pauperis application; however, he did not file a copy of his Certificate of Funds and prisoner trust account statement.

In an Order dated January 21, 2009, the Court directed Plaintiff to pay the filing fee or file the requisite documents within thirty days.

The thirty-day deadline has passed, and Plaintiff has failed to pay the filing fee. Instead, he has filed his prisoner trust account statement. He has also filed a letter requesting an extension of time to pay the filing fee.

Accordingly, the Court GRANTS Petitioner's request. Petitioner shall pay the requisite \$5.00 filing fee in this action no later than **thirty (30) days** from the date of this Order. He shall include with his payment a clear indication that it is for the above-referenced case number, C 08-05338 SBA (PR). In the event that Petitioner is unable to pay the filing fee, he shall submit his Certificate of Funds no later than **thirty (30) days** from the date of this Order. Failure to pay the filing fee or file his Certificate of Funds within the thirty-day deadline shall result in dismissal of this action.

IT IS SO ORDERED.

DATED: 3/4/09

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JOSE LUIS RICO,

Plaintiff,

v.

/ et al,

Defendant.

Case Number: CV08-05338 SBA

**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 March 5, 2009, 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.

Jose Luis Rico G01731  
California Medical Facility  
P.O. Box 2000  
Vacaville, CA 95696-2000

Dated: March 5, 2009

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk