

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

4
 5 GBEKE MICHAEL AWALA,
 6
 7 Petitioner,

No. C 10-00470 SBA (PR)

**ORDER OF DISMISSAL WITHOUT
 PREJUDICE**

7 v.

8 U.S. ATTORNEY GENERAL,
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 10 Respondent.

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Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus. On the same day the action was filed the Court sent a notification to Petitioner informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk of the Court sent Petitioner a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed. Petitioner filed an in forma pauperis application; however, he did not file his certificate of funds or his six month prisoner statement.

On February 18, 2010, the Court sent a second notification to Petitioner informing him that he did not file a certificate of funds or his six month prisoner statement. The Court directed Petitioner to either pay the fee or submit a certificate of funds and his six month prisoner statement within thirty days or his action would be dismissed.

More than thirty days have passed and Petitioner has not paid the filing fee, submitted a certificate of funds or his six month prisoner statement or otherwise communicated with the Court. Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Court has rendered its final decision on this matter; therefore, this Order TERMINATES Petitioner's case.

IT IS SO ORDERED.

DATED: 3/25/10


 SAUNDRA BROWN ARMSTRONG
 United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

GBEKE MICHAEL AWALA,
Plaintiff,

Case Number: CV10-00470 SBA
CERTIFICATE OF SERVICE

v.
US ATTORNEY GENERAL et al,
Defendant.

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 31, 2010, 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.

Gbeke M. Awala 133892
York County Prison
3400 Concord Road
York, PA 17402

Dated: March 31, 2010

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