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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

MANUEL HERNANDEZ,

Petitioner,

No. C 10-2227 PJH (PR)

vs.

**ORDER OF DISMISSAL**

PEOPLE OF THE STATE OF  
CALIFORNIA,

Respondent.

Petitioner sent this court a document headed "Motion for Traverse." It carries the case number "2:08-cv-08249-RSWL-JEM." It is headed "In the United States District Court for California and for the County of San Francisco." In an effort to protect petitioner's rights, it was treated as an attempt to open a new habeas case. The clerk sent petitioner notices that he (1) had not filed a petition; and (2) had neither paid the filing fee nor applied for leave to proceed in forma pauperis. He was told to remedy these deficiencies within thirty days or the case would be dismissed. He has not responded.

Petitioner had a habeas case in the United States District Court for the Central District of California with case number 2:08-cv-08249-RSWL-JEM. It is apparent that he mailed the motion to the wrong court.

This case is **DISMISSED** as filed in error. No fee is due. The clerk shall close the file.

**IT IS SO ORDERED.**

Dated: October 25, 2010.



PHYLLIS J. HAMILTON  
United States District Judge