

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

GILBERT E. ROSALES,  
Petitioner,

No. C 10-04486 SBA (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

v.

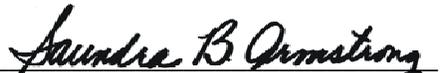
RANDY GROUNDS, Warden,  
Respondent.

On October 5, 2010, Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. 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.

More than thirty days have passed and Petitioner has not paid the filing fee, returned the in forma pauperis application 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. The Clerk of the Court shall close the file.

IT IS SO ORDERED.

DATED: 11/29/10

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

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

4 GILBERT E. ROSALES,

5 Plaintiff,

6 v.

7 RANDY GROUNDS et al,

8 Defendant.

Case Number: CV10-04486 SBA

**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 November 30, 2010, 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  
14 located in the Clerk's office.

15 Gilbert Eugene Rosales H-06195  
16 Correctional Training Facility  
17 P.O. Box 689  
18 Soledad, CA 93960-0689

19 Dated: November 30, 2010

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