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

PACO SALDANA,

No. C 10-05011 CW (PR)

Petitioner,

ORDER OF DISMISSAL WITHOUT  
PREJUDICE

v.

B. CURRY, Warden,

Respondent.

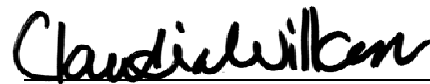
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On November 5, 2010, Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed the Court sent a notification to Petitioner informing him that his action could 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 Clerk of the Court shall close the file.

IT IS SO ORDERED.

Dated: 12/17/2010



CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

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

4 PACO SALDANA,  
5 Plaintiff,

Case Number: CV10-05011 CW

**CERTIFICATE OF SERVICE**

6 v.

7 B CURRY et al,  
8 Defendant.

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 December 17, 2010, I SERVED a true and correct copy(ies) of the attached, by placing  
12 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
13 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office  
14 delivery receptacle located in the Clerk's office.

15 Paco Saldana H-48305  
16 Correctional Training Facility  
17 P.O. Box 689  
18 Soledad, CA 93960-0689

Dated: December 17, 2010

Richard W. Wieking, Clerk  
By: Nikki Riley, Deputy Clerk