

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re JANE DOROTIK,

No. C 11-5553 PJH (PR)

Petitioner.

ORDER OF DISMISSAL

This case was opened when plaintiff wrote a letter to Judge Henderson of this court regarding time credits. In an effort to protect her rights, it was filed as a new habeas case. Petitioner was informed that she had not filed a petition and was given thirty days to do so. She also was sent a notice that she had not paid the filing fee or applied for leave to proceed in forma pauperis ("IFP"); again, she was allowed thirty days to either pay the fee or file the application. A copy of the court's form for applications to proceed IFP was provided with the notice, along with a return envelope.

Petitioner has written to the court saying that she did not intend to file a new case anywhere but in state court, where her state habeas petition is now pending. This case is therefore **DISMISSED** without prejudice as opened in error. No fee is due. The clerk shall close the file.

IT IS SO ORDERED.

Dated: January 11, 2012.



PHYLLIS J. HAMILTON
United States District Judge