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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

DARIAN MANUEL POWELL,

No. C 12-05985 YGR (PR)

Petitioner,

ORDER OF DISMISSAL

v.

MULE CREEK STATE PRISON,

Respondent.

On November 26, 2012, Petitioner, a state prisoner, filed an unsigned petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed the Clerk of the Court sent a notice to Petitioner informing him that his action could not go forward until he signed his petition within thirty days or his action would be dismissed. He was also sent another notice directing him to either pay the filing fee or file a completed prisoner's *in forma pauperis* (IFP) application. The Clerk sent Petitioner a blank IFP application and told him that he must pay the fee or return the completed application with the requisite documents within thirty days or his action would be dismissed.

On December 17, 2012, Petitioner filed his IFP application and prisoner trust account statement; however, he did not sign his petition or file his certificate of funds.

More than thirty days have passed, and Petitioner has not filed a signed petition or his certificate of funds. Accordingly, this action is **DISMISSED WITHOUT PREJUDICE**. Because the Court has already provided Petitioner with an opportunity to correct the deficiencies in his initial filing, the Court does not grant any further leave to amend.

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

DATED: February 13, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE