

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

In re MATTHEW L. COUNCIL,

No. C 13-00084 YGR (PR)

**SECOND ORDER REGARDING
INCOMPLETE PETITION**

Petitioner has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. He has paid the full filing fee.

In an Order dated January 30, 2013, the Court noted that the petition form was missing pages one through five. Therefore, Petitioner was directed to amend the petition to provide the missing pages within twenty-eight days.

On February 13, 2013, Petitioner filed what he labeled as the missing pages to his federal petition. However, upon closer examination, the Court notes that these pages are pages one through five of Petitioner's petition for review, which was filed in the California Supreme Court.

Petitioner is GRANTED **twenty-eight (28) days** from the date of this Order to amend the petition to provide the *correct* missing pages - pages one through five of his *federal* petition. If he does not amend within that time, the petition will be dismissed for failure to comply with Federal Rule of Civil Procedure 41(b).

Failure to supply the missing pages of the petition within the twenty-eight-day deadline shall result in dismissal of this action without prejudice.

IT IS SO ORDERED.

DATED: March 18, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE