

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

MARK ALLEN MADEWELL, NO. C 13-4164 CW (PR)

Petitioner, ORDER OF DISMISSAL
WITHOUT PREJUDICE

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
et al.,

Respondents.

This action was opened on September 9, 2013, when Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. On the same day the action was opened, the Clerk of the Court notified Petitioner that he must file an application to proceed in forma pauperis (IFP) or pay the \$5.00 filing fee. On September 17, 2013, Petitioner filed an IFP application. However, the application was incomplete because he did not submit a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at the prison or a copy of his prisoner trust account statement showing transactions for the last six months. On September 23, 2013, the Clerk sent Petitioner notice of this deficiency with a blank IFP application and told him that he must submit the missing documents within twenty-eight days or his action would be dismissed, the file closed and the filing fee would become due immediately. See Doc. no. 4.

More than twenty-eight days have passed and Petitioner has not filed the necessary documents nor has he communicated with the

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For the Northern District of California

1 Court in any way. Accordingly, this action is DISMISSED WITHOUT
2 PREJUDICE.

3 The Clerk of the Court shall close the file.

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5 IT IS SO ORDERED.

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7 Dated: 12/3/2013


CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

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