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2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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6
7 PAUL SAMUEL JOHNSON,

No. C 13-4777 CW (PR)

8 Petitioner,

ORDER OF DISMISSAL

9 v.

10 STEVE FREITAS, SONOMA COUNTY
11 SHERIFF, MAIN ADULT DETENTION
FACILITY, DR. FADAKI,

12 Respondents.
13 _____/

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15 On October 15, 2013, pro se Petitioner Paul Samuel Johnson
16 filed this action on a form for a petition for a writ of habeas
17 corpus and the Clerk entered it on the docket as a petition for a
18 writ of habeas corpus. However, the second page of the petition
19 indicates that it is a civil rights complaint regarding
20 Petitioner's medical treatment at the County Jail.

21 On the same day the "petition" was filed, the Clerk of the
22 Court sent Petitioner a notice indicating that his application to
23 proceed in forma pauperis was defective because he had not
24 submitted a Certificate of Funds in Prisoner's Account completed
25 and signed by an authorized officer at the jail and he did not
26 attach a copy of his prisoner trust account statement showing
27 transactions for the last six months. See Doc. no. 3. The notice
28 indicated that Petitioner must file the necessary documents or pay

1 the \$5.00 filing fee within thirty days from the date of the
2 notice or his action would be dismissed, the file closed and the
3 entire fee would become due.

4 More than thirty days have passed and Petitioner has not
5 filed the required documents or paid the \$5.00 filing fee.
6 Therefore, this case is dismissed without prejudice to re-filing
7 in a new case.¹

8 The Clerk shall terminate all motions and close the file.

9 IT IS SO ORDERED.

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11 Dated: 12/10/2013


CLAUDIA WILKEN
United States District Judge

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¹ If Petitioner re-files this case, he is advised to use the
28 civil rights complaint form.