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E-FILED - 10/15/08

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

ANGEL GARCIA,)
)
 Petitioner,)
)
 vs.)
)
 SUSAN L. HUBBARD, Warden,)
)
 Respondent.)
 _____)

No. C 97-20236 RMW (PR)

ORDER DENYING
APPLICATION FOR WAIVER
OF COURT FEES AND COSTS

(Docket No. 54)

Petitioner, a California prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On March 31, 2003, the court denied the petition on the merits and entered judgment in favor of respondent. Over three years later, petitioner filed two motions for reconsideration. On January 5, 2007, the court denied petitioner's motions for reconsideration. On July 7, 2007, the Ninth Circuit denied petitioner's request for a certificate of appealability.

On May 20, 2008, petitioner filed an application for waiver of court fees and costs. Because petitioner's case has been closed for over a year, petitioner's application is denied as moot. This order terminates docket no. 54.

IT IS SO ORDERED.

Dated: 10/10/08



RONALD M. WHYTE
United States District Judge