

Original filed 4/24/07

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NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY BUSCH,)	No. C 06-6271 JF (PR)
)	
Petitioner,)	ORDER GRANTING
)	PETITIONER’S MOTION FOR
vs.)	RECONSIDERATION;
)	VACATING JUDGMENT AND
A.P. KANE,)	RE-OPENING CASE
)	
Respondent.)	
_____)	(Docket No. 6)

On October 20, 2006, the Court denied Petitioner’s motion to proceed in forma pauperis and directed Petitioner to pay the \$5.00 filing fee within thirty days. On March 7, 2007, the Court dismissed the instant habeas action for failure to pay the filing fee. On March 30, 2007, Petitioner filed a motion for reconsideration stating that he had paid the filing fee in December 2006. Petitioner’s December 6, 2007 receipt showing payment of the \$5.00 filing fee did not appear on the Court’s docket until April 2007.

The Court concludes that Petitioner has shown good cause to support his motion for reconsideration. Accordingly, Petitioner’s motion for reconsideration (docket no. 6) is GRANTED.

\\

1 The judgment entered on March 7, 2007 (docket no. 5) is VACATED. The Clerk shall
2 REOPEN the file. The Court will review the instant habeas petition in a separate written
3 order.

4 IT IS SO ORDERED.

5 Dated: 4/24/07


6 JEREMY FOGEL
United States District Judge

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1 A copy of this order was mailed to the following:

2 Timothy Busch
3 E-14667
4 Correctional Training Facility
5 P.O. Box 689
6 Soledad, CA 93960-0689

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