

1 Accordingly, the Clerk is instructed to copy all documents from the instant case and
2 transfer the documents to Petitioner's earlier filed habeas action in case number C 05-
3 3064 JF (PR). Because the instant case was opened erroneously, the Court will dismiss
4 the instant habeas action without prejudice. The Clerk shall close the file and terminate
5 any pending motions. No filing fee is due.

6 It is Petitioner's responsibility to prosecute this case. Petitioner is reminded that
7 all communications with the Court must be served on Respondent by mailing a true copy
8 of the document to Respondent's counsel. Petitioner must keep the Court and all parties
9 informed of any change of address by filing a separate paper captioned "Notice of Change
10 of Address." He must comply with the Court's orders in a timely fashion.

11 IT IS SO ORDERED.

12 DATED: 5/31/07

13 
14 JEREMY FOGEL
15 United States District Judge

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

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3 James Freddie Cavitt
4 K-81900
5 Correctional Medical Facility
6 P.O. Box 2000
7 Vacaville, CA 95696

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7 Juliet B. Hayley
8 CA State Attorney General's Office
9 455 Golden Gate Avenue
10 Suite 11000
11 San Francisco, CA 94102-7004

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