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*\*E-FILED - 11/10/09\**

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

|                    |   |                        |
|--------------------|---|------------------------|
| MARCELLA LUNSFORD, | ) | No. C 09-3641 RMW (PR) |
|                    | ) |                        |
| Petitioner,        | ) | ORDER OF DISMISSAL     |
|                    | ) |                        |
| v.                 | ) |                        |
|                    | ) |                        |
| GLORIA HENRY,      | ) |                        |
|                    | ) |                        |
| Respondent.        | ) |                        |
| _____              | ) |                        |

Petitioner, a state prisoner proceeding pro se, filed the instant habeas corpus petition challenging his conviction and sentence, pursuant to 28 U.S.C. § 2254, on July 20, 2009 in the Eastern District of California. On August 18, 2009, the Eastern District transferred the case to this court because petitioner was convicted in Humboldt County, which lies in the Northern District of California.

On August 26, 2009, the court sent a notification to petitioner informing him that he did not file a completed in forma pauperis application, nor did he pay the required filing fee. The court provided a copy of the in forma pauperis application, along with a return envelope, and a notification that the case would be dismissed if petitioner failed to pay the fee or file a completed application with supporting documentation within thirty days. No response has been received from petitioner.

As petitioner has not filed a completed in forma pauperis application or paid the filing

1 fee, this case is DISMISSED without prejudice.

2 The clerk shall terminate any pending motions and close the file.

3 IT IS SO ORDERED.

4 DATED: 11/6/09

  
RONALD M. WHYTE  
United States District Judge

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