

**United States District Court**

For the Northern District of California

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## NOT FOR CITATION

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

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12 WAYNE D. WINCHESTER, ) No. C 10-04513 JF (PR)  
13 Petitioner, ) ORDER ADMINISTRATIVELY  
14 vs. ) CLOSING CASE  
15 T. L. GONZALES, )  
16 Respondent. )  
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19 Petitioner filed a “petition for mandate order” on October 4, 2010, by which  
20 the instant action was opened. (Docket No. 1.) It is clear from contents of the  
21 motion that it pertains to habeas action opened on September 29, 2010 as Case No.  
22 C 10-04391 JF (PR). Accordingly, the instant action is DISMISSED without  
23 prejudice. The Clerk shall file copies of all documents in this action into Case No. C  
24 10-04391 JF (PR), and administratively close the file.

25 IT IS SO ORDERED.

26 DATED: 2/2/11



JEREMY FOGEL  
United States District Judge

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

WAYNE D. WINCHESTER,

Case Number: CV10-04513 JF

Petitioner,

**CERTIFICATE OF SERVICE**

v.

T.L. GONZALES,

Respondent.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 2/17/11, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Wayne D. Winchester D-99680  
California Men's Colony  
P.O. Box 8101  
Cell #5388C  
San Luis Obispo, CA 93409

Dated: 2/17/11

Richard W. Wieking, Clerk