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NOT FOR CITATION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

MAXIMO QUIROZ,)	No. C 11-02799 JF (PR)
)	
Petitioner,)	ORDER OF DISMISSAL;
)	DISMISSING PENDING MOTIONS
vs.)	
)	
TIMOTHY BUSBY, Warden,)	
)	
Respondent.)	
_____)	(Docket No. 1 & 2)

On June 8, 2011, Petitioner filed an “application for extension of time” to file a “reply brief.” (Docket No. 1.) Along with the application, Petitioner filed a request for appointment of counsel, to which he attached a letter from his attorney advising him of his rights to seek collateral review of his state conviction. (Docket No. 2.) From these documents, it appeared that Petitioner was seeking to file a petition for a writ of habeas corpus to challenge his state conviction pursuant to 28 U.S.C. § 2254. Accordingly, on the same day, the Clerk of the Court sent a notification to Petitioner that he had failed to attach a petition with his other pleadings, and that he must submit a petition within thirty days to avoid dismissal of the action. (Docket No. 4.) Petitioner was also sent a separate notice that he must either pay the filing fee or file an In Forma Pauperis (“IFP”)

1 Application within thirty days to avoid dismissal. (Docket No. 5.)

2 The deadline has since passed, and Petitioner has failed to file a petition or an IFP
3 application. Accordingly, this case is DISMISSED without prejudice for failure to pay
4 the filing fee.

5 The Clerk shall terminate any pending motions (Docket Nos. 1 & 2) and close the
6 file.

7 IT IS SO ORDERED.

8 Dated: 8/10/11


9 JEREMY FOGEL
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MAXIMO QUIROZ,

Petitioner,

v.

TIMOTHY BUSBY, Warden,

Respondent.

Case Number: CV11-02799 JF

CERTIFICATE OF SERVICE

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 8/31/11, 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.

Maximo Quiroz G-18825
Ironwood State Prison
P.O. Box 2199
Bldg. A-3, Bed 106L
Blythe, CA 92226

Dated: 8/31/11

Richard W. Wieking, Clerk