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

IN RE KAREN E. W. McBRIEN,)	No. C 11-03719 EJD (PR)
Petitioner.)	ORDER OF DISMISSAL
)	
)	
)	
)	
_____)	

On July 28, 2011, Petitioner filed an “application for stay of execution” which the Clerk construed as an intent to file a petition for a writ of habeas corpus under 28 U.S.C. § 2254.¹

Furthermore, Petitioner did not apply for leave to proceed in forma pauperis or pay the filing fee, so on the same day, the Clerk of the Court sent Petitioner a notice that she must either pay the full filing fee or file an in forma pauperis application within thirty days or the case would be dismissed. (Docket No. 2.) Along with the notice, Petitioner was mailed the Court’s In Forma Pauperis Application, instructions for completing such an application, including a Certificate

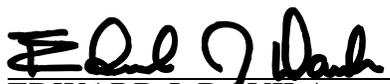
¹ In a single page document, Petitioner asserts that the “FBI Homeland Security affirmed [her] death sentence [in] December [] 2009.” (Docket No. 1; space in original.) Petitioner fails to provide the date of the alleged execution date. Furthermore, Petitioner’s mailing address is not any type of government detention facility. (Id.)

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of Funds form to be completed and signed by a prison official, and a return envelope. (Id.) The deadline has since passed, and Petitioner has not complied.

Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee. The Clerk shall terminate any pending motions and close the file.

DATED: October 13, 2011


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

IN RE KAREN E.W. MCBRIEN,
Petitioner.

Case Number: CV11-03719 EJD
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 10/14/2011, 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.

Karen Elizabeth Welter McBrien
3616 Far West Blvd., #117-252
Austin, TX 78731

Dated: 10/14/2011

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk