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

RICHARD L. BURNS,
Petitioner,

vs.

G. SWARTHOUT, Warden,
Respondent.

No. C 11-06301 EJD (PR)

ORDER GRANTING EXTENSION OF
TIME TO FILE MOTION FOR
RECONSIDERATION AND PAY
FILING FEE

On June 25, 2012, the Court dismissed this pro se petition for writ of habeas corpus without prejudice for Petitioner’s failure to pay the filing fee after the Court denied his motion for leave to proceed in forma pauperis. (See Docket No. 4.) On August 6, 2012, Petitioner filed a first amended petition. (Docket No. 11.) Petitioner is advised that this matter is closed, and he must show good cause for this Court to consider reopening the matter.

In the interest of justice, the Court will grant Petitioner an extension of time to pay the \$5.00 filing fee and a motion for reconsideration to reopen this action. Petitioner shall file a motion showing good cause why this case should be reopened along with the proof of payment of the filing fee **within thirty (30) days** from the date this order is filed.

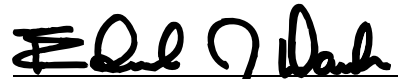
If Petitioner fails to respond in the time provided, this case will remain closed and no further filings will be accepted in this matter. Any federal petition filed by

1 **Petitioner thereafter will be opened as a new action subject to new filing fees.**

2 The Clerk shall enclose a copy of the docket with a copy of this order to Petitioner.

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DATED: 8/10/2012


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RICHARD L. BURNS,
Petitioner,

Case Number: CV11-06301 EJD

CERTIFICATE OF SERVICE

v.

GARY SWARTHOUT, Warden,
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 8/21/2012, 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.

Richard L. Burns AA-7046
California State Prison, Solano
P. O. Box 4000
Vacaville, CA 65696-4000

Dated: 8/21/2012

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