

CLOSED,E-Filing,HABEAS,ProSe

U.S. District Court
California Northern District (San Jose)
CIVIL DOCKET FOR CASE #: 5:11-cv-06301-EJD
Internal Use Only

(HC) Burns v. Swarthout
Assigned to: Hon. Edward J. Davila
Referred to: PSLC HHL
Case in other court: California Eastern, 2:11-cv-03140
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 12/19/2011
Date Terminated: 06/25/2012
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question



Petitioner**Richard L. Burns**

represented by **Richard L. Burns**
AA-7046
California State Prison, Solano
P. O. Box 4000
Vacaville, CA 65696-4000
PRO SE

V.

Respondent**Gary Swarthout**

Date Filed	#	Docket Text
11/28/2011	1	PETITION for WRIT of HABEAS CORPUS by Richard L. Burns.(Duong, D) (Entered: 11/29/2011)
11/29/2011	2	PRISONER NEW CASE DOCUMENTS and ORDER RE CONSENT ISSUED; Consent or Decline due by 1/3/2012 (Attachments: # 1 Order re Consent) (Duong, D) (Entered: 11/29/2011)
11/29/2011		SERVICE BY MAIL: 2 Prisoner New Case Documents for Magistrate Judge as Presider served on Richard L. Burns. (Duong, D) (Entered: 11/29/2011)
12/06/2011	3	MOTION to PROCEED IN FORMA PAUPERIS, CERTIFICATE by Richard L. Burns. (Kaminski, H) Modified on 12/19/2011 (cv, COURT STAFF). (Entered: 12/07/2011)
12/06/2011	4	CONSENT to JURISDICTION of US MAGISTRATE JUDGE by Richard L. Burns. (Attachments: # 1 Proof of Service)(Kaminski, H) (Entered: 12/07/2011)
12/07/2011	5	ORDER signed by Magistrate Judge Gregory G. Hollows on 12/07/11 ordering CASE TRANSFERRED to the U.S. District Court for the Northern District of California. (Plummer, M) (Entered: 12/07/2011)

12/07/2011		SERVICE BY MAIL: 5 Order, Case Transferred Out to Another District served on Richard L. Burns. (Plummer, M) (Entered: 12/07/2011)
12/19/2011	 6	Case transferred in from District of California Eastern; Case Number 2:11-cv-03140. Original file certified copy of transfer order and docket sheet received. (Entered: 12/19/2011)
04/20/2012	7	ORDER DENYING re 3 MOTION TO LEAVE TO PROCEED IN FORMA PAUPERIS filed by Richard L. Burns. Petitioner must pay the \$5 filing fee within thirty (30) days of the date of this order or face dismissal of this action for failure to pay the filing fee. Signed by Judge Edward J. Davila on 4/19/2012. (ecg, COURT STAFF) (Filed on 4/20/2012) (Entered: 04/20/2012)
04/20/2012		(Court only) Set/Reset Deadlines: Fees due by 5/20/2012. PURSUANT TO 7 ORDER (cv, COURT STAFF) (Filed on 4/20/2012) (Entered: 04/22/2012)
05/07/2012	8	Mail sent to Richard Burns returned as undeliverable re 7 Order,. Mail Returned; response required by 7/6/2012. (RETURN TO SENDER NO SUCH STREET UNABLE TO FORWARD.)(cv, COURT STAFF) (Filed on 5/7/2012) (Entered: 05/08/2012)
05/08/2012		Remark - mailed copy of order to petitioner Richard L. Burns AA-7046 California State Prison, Solano P. O. Box 4000 Vacaville, CA 65696-4000 (cv, COURT STAFF) (Filed on 5/8/2012) (Entered: 05/08/2012)
06/25/2012	9	ORDER OF DISMISSAL. The time provided for paying the filing fee 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. Signed by Judge Edward J. Davila on 6/21/2012. (ecg, COURT STAFF) (Filed on 6/25/2012) (Entered: 06/25/2012)
06/25/2012	10	JUDGMENT. The Court has dismissed the instant civil rights action without prejudice for Petitioner's failure to pay the filing fee. A judgment of dismissal without prejudice is entered. The Clerk shall close the file. ***Civil Case Terminated. Signed by Judge Edward J. Davila on 6/21/2012. (ecg, COURT STAFF) (Filed on 6/25/2012) (Entered: 06/25/2012)
08/06/2012	11	Received First Amended Petition by Richard L. Burns. (cv, COURT STAFF) (Filed on 8/6/2012) (Entered: 08/08/2012)
08/21/2012	12	ORDER GRANTING EXTENSION OF TIME TO FILE MOTION FOR RECONSIDERATION AND PAY FILING FEE. 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 Petitioner thereafter will be opened as a new action subject to new filing fees.The Clerk shall enclose a copy of the docket with a copy of this order to Petitioner. Signed by Judge Edward J. Davila on 8/10/2012. (ecg, COURT STAFF) (Filed on 8/21/2012) (Entered: 08/21/2012)