

United States District Court
For the Northern District of California

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FILED

NOV 16 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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

YOHANNES TEKIE GEBREZGIE,
Plaintiff,
v.
LUDERS, et al.,
Defendants.

No. C 12-04358 EJD (PR)
ORDER VACATING JUDGMENT
AND REOPENING CASE

On November 2, 2012, the Court dismissed this civil rights action because Plaintiff, a state prisoner, had failed to timely pay the filing fee in the time provided by the Court, *i.e.*, no later than October 24, 2012. (See Docket No. 5.) It appears that Plaintiff paid the filing fee on November 1, 2012, after the due date. In the interest of justice, the Court will reopen the action. The Judgment entered on November 2, 2012, (Docket No. 6) is VACATED. The Court will conduct an initial review of the petition in a separate order.

DATED: 11/15/12


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

YOHANNES TEKIE GEBREZGIE,
Plaintiff,

Case Number CV 12-04358 EJD (PR)

CERTIFICATE OF SERVICE

v.

LUDERS, et al.,
Defendants.

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 11/16/12, 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) inter-office delivery receptacle located in the Clerk's office.

Yohannes Tekie Gebrezie
15253-111
ATWATER
U.S. PENITENTIARY
Inmate Mail/Parcels
P.O. BOX 019001
ATWATER, CA 95301

DATED: 11/16/12

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

