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

SAMUEL S. GUZMAN,)	No. C 12-5341 LHK (PR)
)	
Petitioner,)	ORDER GRANTING
)	EXTENSION OF TIME TO PAY
v.)	FILING FEE
)	
WARDEN FRANCISCO JACQUEZ,)	
)	
Respondent.)	
)	

On October 16, 2012, Petitioner, a California state prisoner proceeding *pro se*, filed a petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254. On November 30, 2012, the Court dismissed this action without prejudice based on Petitioner’s failure to timely submit an completed application to proceed *in forma pauperis* (IFP), or pay the filing fee. Petitioner filed a motion to reopen. (Doc. No. 7.) On January 3, 2013, the Court directed Petitioner to pay a \$5.00 filing fee, or to file a completed application to proceed IFP, within thirty days. (Doc. No. 8.) Petitioner was informed that the Court would consider his motion to reopen if he complied with the order. (*Id.*)

On February 4, 2013, Petitioner filed a motion for a thirty day extension of time to pay the \$5.00 filing fee. (Doc. No. 9.) Petitioner asserts that he has the \$5.00 filing fee in his trust account, and that he has submitted a request to the prison administration for the filing fee to be sent to the Court. (*Id.*)

1 Good cause having been found, Petitioner's motion is **GRANTED**. Petitioner's filing
2 fee shall be paid no later than thirty days (30) from the date of this order. If Petitioner's filing
3 fee is recieved within the allotted time, the Court will consider his motion to reopen. Should
4 Petitioner fail to pay the filing fee, this case shall remain closed, and no further filings will be
5 considered.

6 IT IS SO ORDERED.

7 DATED: 2/12/13


LUCY H. KOH
United States District Judge

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