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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 DIRECTING
	)	PETITIONER TO FILE
v.	)	APPLICATION FOR LEAVE TO
	)	PROCEED IN FORMA
WARDEN FRANCISCO JACQUEZ,	)	PAUPERIS
	)	
Respondent.	)	
	)	

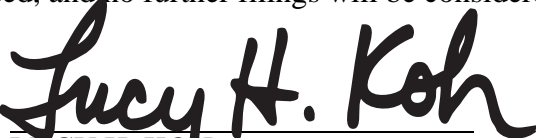
On October 16, 2012, Petitioner, a California state prisoner proceeding *pro se*, filed a petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254. Along with his petition, Petitioner filed a motion for leave to proceed in forma pauperis (“IFP”). That same day, the Court sent a notification to Petitioner, informing him that he did not pay the filing fee, nor did he file a completed application to proceed IFP. The Court provided Petitioner with a blank IFP application, along with a return envelope, and a notification that the case would be dismissed if Petitioner failed to pay the fee, or file a completed application with supporting documentation within thirty days. Having received nothing from Petitioner after thirty days, on November 30, 2012, the Court dismissed this action without prejudice based on Petitioner’s failure to timely submit an completed application to proceed IFP, or pay the filing fee.

On December 12, 2012, Petitioner filed a motion to re-open the case. In his motion, he alleges that he never received any notification from the Court regarding an incomplete IFP application. Out of an abundance of caution, the Court directs Petitioner to file a completed application to proceed IFP, including a certificate of funds, completed and signed by an

1 authorized officer at the prison, and a copy of his prisoner trust account showing the transactions  
2 for the last six months. Petitioner shall file these documents, or pay a \$5.00 filing fee, within  
3 **thirty days** of the filing date of this order. If Petitioner complies, the Court will consider  
4 Petitioner's motion to re-open. Should Petitioner fail to either file the necessary documents or  
5 pay the filing fee, this case shall remain closed, and no further filings will be considered.

6 IT IS SO ORDERED.

7 DATED: 1/2/13

  
8 LUCY H. KOH  
9 United States District Judge

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