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

MICHAEL L. OVERTON,)	No. C 14-01859 EJD (PR)
Petitioner,)	ORDER OF DISMISSAL
v.)	
WARDEN, et al.,)	
Respondents.)	

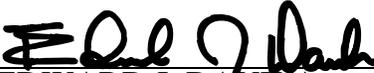
On April 23, 2014, Petitioner, a state prisoner proceeding pro se, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 30, 2014, the Clerk sent Petitioner a notice that he had not paid the filing fee or filed an application to proceed in forma pauperis (“IFP”). (Docket No. 2.) On May 29, 2014, Petitioner filed a “Trust Account Withdrawal Order” for \$5.00 to pay for “Fed’l Filing Fees,” with a reference to the instant action, (see Docket No. 3), but the Court never received the filing fee. The Court granted Petitioner an extension of time to either pay the filing fee or file an IFP application. (Docket No. 4.) On July 31, 2014, Petitioner filed another “Trust Account Withdrawal Order” for \$5.00, “to pay filing fees for case No. C J-12 2868 on habeas corpus.” (Docket No. 5.) There being no record of the fee being received, the Court granted Petitioner a final twenty-eight days to resolve the fee

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matter on August 13, 2014. (Docket No. 6.)

The deadline has since passed, and Petitioner has failed to respond. Accordingly, this case is **DISMISSED** without prejudice for failure to pay the filing fee.

DATED: 9/23/2014


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON,
Petitioner,

Case Number: CV14-01859 EJD
CERTIFICATE OF SERVICE

v.

WARDEN, et al.,

Respondents.
_____ /

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 9/24/2014, 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.

Michael L. Overton C-47370
California Men's Colony
P. O. Box 8101
San Luis Obispo, CA 93409-8101

Dated: 9/24/2014

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