Northern District of California

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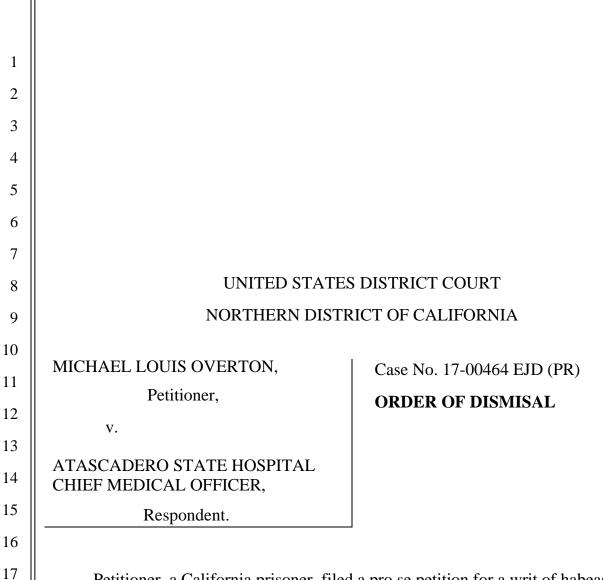
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United States District Court



Petitioner, a California prisoner, filed a <u>pro se</u> petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On January 30, 2017, the Clerk notified Petitioner that he needed to either pay the filing fee or file a motion for leave to proceed <u>in forma pauperis</u> ("IFP") within twenty-eight days from the date of the notice to avoid dismissal. (Docket No. 2.) The deadline has passed, and Petitioner has failed to respond. Accordingly, the action is **DISMISSED** without prejudice for failure to pay the filing fee.

IT IS SO ORDERED.

Dated: <u>3/9/2017</u>

EDWARD J. DAVILA United States District Judge

Order of Dismissal P:\PRO-SE\EJD\HC.17\00464Overton_dism-fee.docx