

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD MAQUINALES,  
Petitioner,  
v.  
M. E. SPEARMAN,  
Respondent.

Case No. 17-cv-01403 NC (PR)

**ORDER OF DISMISSAL**

On March 15, 2017, Petitioner, a state prisoner proceeding pro se, filed a writ of habeas corpus pursuant to 28 U.S.C. § 2254.<sup>1</sup> The same day, the Clerk sent Petitioner a notification informing him that he did not pay the filing fee, and the application to proceed in forma pauperis (“IFP”) that he filed was incomplete. Specifically, the notification informed Petitioner that the IFP application did not include a Certificate of Funds in Prisoner’s Account form or a copy of his trust account. Petitioner was cautioned that his failure to either submit the required documents or pay the filing fee within twenty-eight

<sup>1</sup> Petitioner has consented to magistrate judge jurisdiction. Dkt. No. 2.

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ORDER OF DISMISSAL

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days would result in the dismissal of his action. To date, Petitioner has not paid his filing fee or filed a completed IFP application.

Thus, the instant case is DISMISSED without prejudice. The Clerk shall enter judgment.

**IT IS SO ORDERED.**

DATED: April 25, 2017



NATHANAEL M. COUSINS  
United States Magistrate Judge