

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHAWN DAMON BARTH,
Petitioner,

v.

JOE A. LAZARRAGA, Warden,
Respondent.

Case No. 19-05223 BLF (PR)

**ORDER VACATING JUDGMENT
AND REOPENING ACTION;
INSTRUCTIONS TO CLERK**

Petitioner, a state prisoner proceeding *pro se*, filed a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his state conviction. On October 1, 2019, the Court dismissed the action for Petitioner’s failure to respond to the Clerk’s notice directing him to either pay the filing fee or file an application to proceed *in forma pauperis* (“IFP”). (Docket No. 6.) However, it now appears that Petitioner filed an IFP motion. (Docket No. 8.) In the interest of justice, the judgment shall be vacated and the matter reopened.

The judgment entered on October 1, 2019, is hereby VACATED. The Clerk shall reopen this action.

IT IS SO ORDERED.

DATED: October 10, 2019


BETH LABSON FREEMAN
United States District Judge

Order Reopening Action
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