

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

LARRY STEVEN KIRKPATRICK, II,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. 06CV1857 IEG *related to*
03cr531

**ORDER DENYING AS MOOT
PETITIONER'S REQUEST FOR
TRANSCRIPTS WITHOUT
PREPAYMENT OF COSTS and
GRANTING PETITIONER'S
MOTION TO WITHDRAW and
DISMISSING PETITIONER'S
PETITION WITHOUT
PREJUDICE**

[Doc. Nos. 1009, 1010, 1015 in case
no. 03cr531; Doc. No. 1 in case no.
06cv1857]


Presently before the Court is Larry Steven Kirkpatrick's ("petitioner") request for transcripts without prepayment of costs. [Doc. No. 1009 in case number 03cr531.] Petitioner initially requested transcripts in conjunction with Petitioner's petition to vacate, set aside, or correct Petitioner's sentence pursuant to 28 U.S.C. § 2255. [Doc. No. 1 in case number 06cv1857; Doc. No. 1010 in case number 03cr531.] Petitioner has since filed a motion to withdraw the petition. [Doc. No. 1015 in case number 03cr531.]

//
//
//

1 The Court **GRANTS** petitioner's motion to withdraw petitioner's previously filed petition.
2 Therefore, the Court **DISMISSES** petitioner's petition without prejudice. Furthermore, the Court
3 **DENIES AS MOOT** petitioner's request for transcripts.

4 **IT IS SO ORDERED.**

5
6 **DATED: September 29, 2006**


IRMA E. GONZALEZ, Chief Judge
United States District Court

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28