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

STEVEN GREGORY WILLIAMS,  
Petitioner,  
v.  
COLLEEN NOLL, Acting Warden  
Respondent.

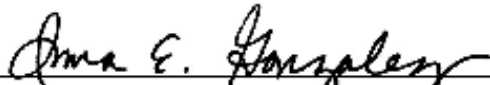
Civil No. 09-1705 IEG (RBB)

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE**

Petitioner, a state prisoner proceeding pro se, has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, but has failed to pay the \$5.00 filing fee and has failed to move to proceed in forma pauperis. Because this Court cannot proceed until Petitioner has either paid the \$5.00 filing fee or qualified to proceed in forma pauperis, the Court **DISMISSES** the case without prejudice. See Rule 3(a), 28 U.S.C. foll. § 2254. If Petitioner wishes to proceed with this case, he must submit, **no later than October 19, 2009**, a copy of this Order with the \$5.00 fee or with adequate proof of his inability to pay the fee. *The Clerk of Court shall send a blank Southern District of California In Forma Pauperis Application to Petitioner along with a copy of this Order.*

**IT IS SO ORDERED.**

**DATED: August 17, 2009**

  
IRMA E. GONZALEZ, Chief Judge  
United States District Court