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

QING LIN,

Petitioner,

vs.

JANET NAPOLITANO, et al.,


Respondents.

Civil No. 09-2620 WQH (CAB)
**ORDER DENYING IN FORMA
PAUPERIS APPLICATION AND
DISMISSING CASE WITHOUT
PREJUDICE**

Petitioner, a detainee in the custody of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, proceeding pro se, has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Petitioner has also filed a request to proceed in forma pauperis which reflects a \$138.44 trust account balance at the facility in which she is presently confined. It appears Petitioner can afford the \$5.00 filing fee. Accordingly, the Court **DENIES** the request to proceed in forma pauperis, and **DISMISSES** the case without prejudice. To have the case reopened, Petitioner must, **no later than January 15, 2010**, provide the Court with: (1) a copy of this Order together with the \$5.00 filing fee; or (2) a copy of this Order together with adequate proof that Petitioner cannot pay the \$5.00 filing fee.

IT IS SO ORDERED.

DATED: November 24, 2009


WILLIAM Q. HAYES
United States District Judge