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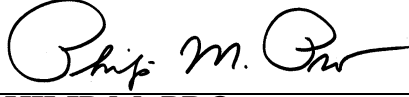
UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

BRECK SMITH,	)	
	)	
Petitioner,	)	2:10-CV-01596-PMP-PAL
	)	
vs.	)	
	)	ORDER DISMISSING PETITION
ANTHONY SCILLIA, <i>et al.</i> ,	)	
	)	
<u>Respondents.</u>	)	

This is an action initiated by Breck Smith, a state prisoner, who has submitted a petition for writ of habeas corpus and an application to proceed *in forma pauperis*. Based on the financial information submitted with the latter submission, the application was denied and Smith was directed to pay the \$5 filing fee or renew his application for *in forma pauperis* status showing a change in his financial condition. Despite being given additional time to comply with the Court’s order, Smith has neither paid the filing fee or renewed his application.

**IT IS THEREFORE ORDERED** that this action is **DISMISSED** without prejudice. The Clerk shall enter judgment accordingly.

DATED: November 17, 2010.

  
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 PHILIP M. PRO  
 United States District Judge