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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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8 PERCY LAVAE BACON,

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Petitioner,

2:15-cv-01144-APG-PAL

10

vs.

ORDER

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BRIAN WILLIAMS, *et al.*,

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Respondents.

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In this habeas corpus action, brought by Nevada prisoner Percy Lavae Bacon, on June 19, 2015, the court screened Bacon's habeas petition and determined that it does not state a viable claim for habeas corpus relief. *See* Order entered June 19, 2015 (ECF No. 2). The court granted Bacon an opportunity to file a first amended petition for writ of habeas corpus to attempt to cure the shortcomings of his petition. *See id.* The court granted Bacon until and including July 31, 2015, to file a first amended petition. *See id.* The court warned that if Bacon did not comply with its order, and file, within the time allowed, a first amended petition for writ of habeas corpus, rectifying the shortcomings in his petition described in the order, this action would be dismissed. *See id.*

Bacon did not file a first amended petition by July 31, 2015, and he took no other action. Therefore, the court will dismiss this action, for the reasons stated in its June 19, 2015 order.

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IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice.

IT IS FURTHER ORDERED that the petitioner is denied a certificate of appealability.

IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment accordingly.

IT IS FURTHER ORDERED that the clerk of the court shall add Adam Paul Laxalt, Attorney General of the State of Nevada, to the CM/ECF docket, as counsel for respondents. The clerk of court shall serve respondents with a copy of the habeas corpus petition (ECF No. 1), a copy of the June 19, 2015 order (ECF No. 2), and a copy of this order. Respondents need take no action with respect to this case.

Dated this 6th day of August, 2015.



UNITED STATES DISTRICT JUDGE