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## UNITED STATES DISTRICT COURT

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## DISTRICT OF NEVADA

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8 RICHARD DENSON,

9 Petitioner,

10 vs.

2:15-cv-01473-APG-PAL

11 DWIGHT NEVEN, *et al.*,**ORDER**

12 Respondents.

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15 In this habeas corpus action, in an order entered on August 4, 2015 (ECF No. 3), the court  
16 denied the application to proceed *in forma pauperis* of the petitioner, Richard Denson, and directed  
17 him to pay the \$5 filing fee for this action. The court ordered that Denson was to pay the filing fee  
18 within 30 days -- by September 3, 2015. The court stated that failure to comply with its order would  
19 result in dismissal of the action.

20 Denson did not pay the filing fee by September 3, 2015, nor has he submitted any other filing  
21 of any kind. The court will, therefore, dismiss this action without prejudice.

22 **IT IS THEREFORE ORDERED** that the Clerk of the Court shall separately file the  
23 petition for writ of habeas corpus, which is currently filed as attachments 1 through 3 to the  
24 application to proceed *in forma pauperis* (ECF No. 1).

25 **IT IS FURTHER ORDERED** that petitioner's Motion for Appointment of Counsel (ECF  
26 No. 2) is denied.

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**IT IS FURTHER 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 the Court shall serve respondents with a copy of the habeas corpus petition and a copy of this order. Respondents need take no action with respect to this case.

Dated this 16<sup>th</sup> day of September, 2015.



UNITED STATES DISTRICT JUDGE