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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOSEPH MARTIN NORTON, III,  
Petitioner,  
v.  
BRIAN E. WILLIAMS, et al.,  
Respondents.

Case No. 2:16-cv-00894-RFB-CWH

**ORDER**

The court instructed petitioner to file a declaration stating whether he wanted to proceed with this action; otherwise, the court would dismiss the action. Order (ECF No. 17). Petitioner has not filed a declaration within the allotted time, and the court will dismiss the action.

Reasonable jurists would not find the court's decision to be debatable or wrong, and the court will not issue a certificate of appealability.

IT THEREFORE IS ORDERED that this action is **DISMISSED** for petitioner's failure to comply with the court's order of March 20, 2018 (ECF No. 17). The clerk of the court shall enter judgment accordingly and close this action.

IT THEREFORE IS ORDERED that a certificate of appealability will not issue.

DATED: May 9, 2018.

  
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RICHARF F. BOULWARE, II  
United States District Judge