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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DARRELL JOHN GAUL,
Petitioner,
vs.
E. K. MCDANIEL, et al.,
Respondents.

Case No. 3:08-CV-00337-BES-(VPC)

ORDER

The Court ordered (#3) Petitioner to file a complete application to proceed in forma pauperis or to pay the filing fee; Petitioner also needed to file a petition for a writ of habeas corpus. Petitioner has not complied within the allotted time.

IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice for Petitioner's failure to comply with the Court's Order (#3). The Clerk of the Court shall enter judgment accordingly.

DATED: This 29th day of April, 2009.



BRIAN SANDOVAL
United States District Judge