

1 Because Petitioner has not paid the \$5.00 filing fee or filed an Application to Proceed
2 *In Forma Pauperis*, Petitioner will be given 30 days from the date this Order is filed to either
3 pay the \$5.00 filing fee or file a completed Application to Proceed *In Forma Pauperis* using
4 the form included with this Order.

5 **II. Warnings**

6 **A. Address Changes**

7 Petitioner must file and serve a notice of a change of address in accordance with Rule
8 83.3(d) of the Local Rules of Civil Procedure. Petitioner must not include a motion for other
9 relief with a notice of change of address. Failure to comply may result in dismissal of this
10 action.

11 **B. Copies**

12 Petitioner must submit an additional copy of every filing for use by the Court. See
13 LRCiv 5.4. Failure to comply may result in the filing being stricken without further notice
14 to Petitioner.

15 **C. Possible Dismissal**

16 If Petitioner fails to timely comply with every provision of this Order, including these
17 warnings, the Court may dismiss this action without further notice. See *Ferdik v. Bonzelet*,
18 963 F.2d 1258, 1260-61 (9th Cir. 1992) (a district court may dismiss an action for failure to
19 comply with any order of the Court).

20 **IT IS ORDERED:**

21 (1) Within 30 days of the date this Order is filed, Petitioner must either pay the
22 \$5.00 filing fee **or** file a completed Application to Proceed *In Forma Pauperis*.

23 (2) If Petitioner fails to either pay the \$5.00 filing fee or file a completed
24 Application to Proceed *In Forma Pauperis* within 30 days, the Clerk of Court must enter a
25 judgment of dismissal of this action without prejudice and without further notice to
26 Petitioner.

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1 (3) The Clerk of Court must mail Petitioner a court-approved form for filing an
2 Application to Proceed *In Forma Pauperis* (Habeas).

3 DATED this 29th day of September, 2008.

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Stephen M. McNamee
United States District Judge