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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

RONALD MCALPINE,	)	CASE NO. ED CV 15-628-MWF (PJW)
	)	
Petitioner,	)	
	)	ORDER DISMISSING HABEAS CORPUS
v.	)	PETITION WITH LEAVE TO AMEND
	)	
ERIC ARNOLD, WARDEN,	)	
	)	
Respondent.	)	
	)	

On April 1, 2015, Petitioner, a state prisoner currently incarcerated at Solano State Prison, filed a "Notice of Motion of Request to File in This Court After Denial from the California Supreme Court," seeking permission to file a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner does not need to seek permission to file a § 2254 petition, assuming that this is his first habeas petition in federal court. Therefore, the Court will construe the motion as a habeas petition. Because Petitioner does not set forth any grounds for relief or facts in support of the petition, it is dismissed with leave to amend.

If Petitioner desires to proceed in the instant matter, he must file a "First Amended Petition" by **February 8, 2016**. For his First

1 Amended Petition, Petitioner must use and complete the attached form  
2 Petition for Writ of Habeas Corpus by a Person in State Custody.  
3 Petitioner is admonished to read and follow the instructions set forth  
4 on the form.


5 Accordingly, the instant petition is dismissed with leave to  
6 amend. The Clerk shall attach a Pro Se State Habeas Corpus Packet,  
7 including a blank form Petition for Writ of Habeas Corpus (CV-69),  
8 labeled "First Amended Petition" and marked as case number ED CV 15-  
9 628-MWF (PJW). Petitioner is forewarned that if he does not timely  
10 respond to this Order, the Court will recommend that the case be  
11 dismissed with prejudice.

12 IT IS SO ORDERED

13 DATED: January 7, 2016

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PATRICK J. WALSH  
UNITED STATES MAGISTRATE JUDGE

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