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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ONESIMO MARIN HARO,)	1:06-CV-0130 AWI SMS HC
)	
Petitioner,)	ORDER TO SUBMIT APPLICATION
)	TO PROCEED IN FORMA PAUPERIS
v.)	AND CERTIFIED COPY OF PRISON
)	TRUST ACCOUNT STATEMENT
K. MENDOZA-POWERS, Warden, et al.,)	OR PAY FILING FEE
)	
Respondents.)	

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. However, Petitioner did not submit an application to proceed in forma pauperis or pay the five dollar (\$5.00) filing fee. Petitioner will be provided the opportunity to submit an application to proceed in forma pauperis and a certified copy of his trust account statement **or** pay the \$5.00 filing fee.

In accordance with the above, IT IS HEREBY ORDERED that

1. The Clerk of Court SHALL send to Petitioner the form for application to proceed in forma pauperis; and
2. Within thirty (30) days of the date of service of this order, Petitioner SHALL submit a completed application to proceed in forma pauperis and a certified copy of his prison trust account statement for the six month period immediately

1 preceding the filing of the petition, or in the alternative, pay the \$5.00 filing fee
2 for this action. Petitioner's failure to comply with this order will result in a
3 recommendation that this action be dismissed.

4 IT IS SO ORDERED.

5 **Dated:** February 15, 2006
23ehd0

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE