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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS MICHAEL LEBERT,

1:06-CV-0687 AWI WMW HC

Petitioner,

vs.

ORDER TO SUBMIT
APPLICATION TO PROCEED
IN FORMA PAUPERIS
OR FILING FEE

STATE OF CALIFORNIA,

Respondent.

_____ /

Petitioner is a state prisoner proceeding pro se in an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not paid the \$5.00 filing fee, or submitted an application to proceed in forma pauperis on the appropriate form pursuant to 28 U.S.C. § 1915. Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk’s Office shall send to petitioner the form for application to proceed in forma pauperis.
2. Within thirty days of the date of service of this order, petitioner shall submit a completed application to proceed in forma pauperis, or in the alternative, pay the \$5.00 filing fee for this action. Failure to comply with this order will result in a recommendation that this action be dismissed.

IT IS SO ORDERED.

Dated: June 16, 2006
bl0dc4

/s/ William M. Wunderlich
UNITED STATES MAGISTRATE JUDGE