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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 MARK McGUIRE,  
12 Petitioner,  
13 vs.

14 JAMES HARTLEY,  
15 Respondent.  
16 \_\_\_\_\_/

1:08-cv-01844-LJO-GSA (HC)  
ORDER GRANTING MOTION  
TO PROCEED IN FORMA PAUPERIS  
(DOCUMENT #2)

17 Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to  
18 28 U.S.C. § 2254.

19 Petitioner has filed a motion to proceed in forma pauperis and a certified copy of petitioner's  
20 prison trust account statement. Examination of these documents reveals that petitioner is unable to  
21 afford the costs of this action. Accordingly, the motion to proceed in forma pauperis is GRANTED.  
22 See 28 U.S.C. § 1915.

23 IT IS SO ORDERED.

24 **Dated: February 4, 2009**

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE