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

11 RICKY LYNN NEWTON, 1:09-cv-00113-QWW-GSA (HC)

12 || Petitioner,

1:09-cv-00113-OWW-GSA (HC)

13 || vs.

ORDER GRANTING MOTION  
TO PROCEED IN FORMA PAUPERIS

14 || KEN CLARK

(DOCUMENT #2)

15 || Respondent.

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.

**Dated: February 4, 2009**

/s/ **Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE