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

VIRGIL PRICE MCCURLEY,  
Petitioner,  
vs.  
STATE OF CALIFORNIA et al.,  
Respondent.

1:09-cv-001300 BAK SMS (HC)  
ORDER GRANTING MOTION  
TO PROCEED IN FORMA PAUPERIS  
(DOCUMENT #2)

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

Petitioner has filed a motion to proceed in forma pauperis. Examination of these documents reveals that petitioner is unable to afford the costs of this action. Accordingly, the motion to proceed in forma pauperis is GRANTED. See 28 U.S.C. § 1915.

IT IS SO ORDERED.

**Dated:** August 10, 2009

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE