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

RUFINO ACEVEDO,  
Petitioner,  
vs.  
JAMES YATES,  
Respondent.

1:09-cv-01479-BAK-GSA (HC)  
ORDER GRANTING MOTION  
TO PROCEED IN FORMA PAUPERIS  
(DOCUMENT #9)

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 and a certified copy of petitioner's prison trust account statement. (Doc. 9). Examination of these documents reveals that petitioner is unable to afford the costs of this action. Accordingly, the motion to proceed in forma pauperis (Doc. 9), is GRANTED. See 28 U.S.C. § 1915.

IT IS SO ORDERED.

**Dated: September 10, 2009**

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE