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

RANDOLPH E. GARAUX,  
Petitioner,  
vs.  
JAMES A. YATES,  
Respondent.

1:09-cv-01487 GSA (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 31, 2009

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE