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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

DANIEL ANDREW DAVIS,

1:10-cv-01304-DLB (HC)

Petitioner,

ORDER DIRECTING PETITIONER TO  
SUBMIT SIGNATURE UNDER PENALTY OF  
PERJURY

v.

M. MARTEL, Warden

Respondent.

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

Petitioner filed the instant petition for writ of habeas corpus on July 13, 2010.

Upon review of Petitioner’s petition, the Court discovered that the Petition does not contain an original signature under penalty of perjury. Local Rule 131, subdivision (b) requires a document submitted to the Court for filing to include an original signature. In addition, Rule 2 of the Rules Governing Section 2254 Cases requires a petition for writ of habeas corpus to “be signed under penalty of perjury by the petitioner.” Rule 2(c), Rules Governing Section 2254 Cases. In light of the difficulty in having Petitioner submit an entire new habeas corpus petition, Petitioner is ORDERED to submit a document stating that he submitted the instant Petition to the Court and signed it under penalty of perjury. The document should contain an original signature also made under penalty of perjury. Petitioner is GRANTED twenty (20) days from the date of service of

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1 this order to comply with the Court's directive. Petitioner is forewarned that failure to comply  
2 with a Court order will result in a recommendation for dismissal of the petition pursuant to Local  
3 Rule 110.

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5 IT IS SO ORDERED.

6 **Dated: July 29, 2010**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE

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