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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE LUIS SERNA, JR.,)	1:10-cv-02124-SKO-HC
)	
Petitioner,)	ORDER DEEMING PETITIONER'S
)	MOTIONS TO BE MOTIONS TO FILE A
)	FIRST AMENDED PETITION
v.)	(DOCS. 9, 10)
)	
THE PEOPLE, et al.,)	ORDER GRANTING PETITIONER'S
)	MOTIONS TO FILE A FIRST AMENDED
Respondents.)	PETITION AND DEEMING THE FIRST
)	AMENDED PETITION PROPERLY FILED
)	(Doc. 10)

Petitioner is a state prisoner proceeding pro se and in forma pauperis with a petition pursuant to 28 U.S.C. § 2254. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 and 303. Pending before the Court are Petitioner's motion for relief (doc. 9) filed on November 29, 2010, and his motion to proceed with an amended petition (doc. 10) filed on November 24, 2010.

Review of Petitioner's motions reveals that Petitioner seeks to file a first amended petition in this Court, which is part of the motion to proceed (doc. 10).

Good cause appearing, Petitioner's motions to file and

1 proceed with a first amended petition are GRANTED, and
2 Petitioner's first amended petition is DEEMED properly filed.

3 Petitioner is INFORMED that the Court will review and
4 complete an initial screening of his first amended petition in
5 due course.

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7 IT IS SO ORDERED.

8 **Dated: December 7, 2010**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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