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

HERIBERTO BOTELLO,

Petitioner,

vs.

TIM VIRGA,

Respondent.

1:12-cv-01702-BAM-(HC)

ORDER DISREGARDING
APPLICATION TO PROCEED
IN FORMA PAUPERIS
AS MOOT

(DOCUMENT # 9)

_____ /

Petitioner is a prisoner proceeding pro se in a habeas corpus action pursuant to 28 U.S.C. Section 2254.

On November 2, 2012, petitioner filed an application to proceed in forma pauperis. Due to the fact that the court granted petitioner in forma pauperis status in the present case on October 17, 2012, IT IS HEREBY ORDERED THAT petitioner's application of November 2, 2012, is DISREGARDED AS MOOT.

IT IS SO ORDERED.

Dated: November 13, 2012

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE