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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

LONNIE DEFORE DELANEY,)	Case No.: 1:15-cv-01634-JLT
Petitioner,)	Case No.: 1:15-cv-01289-LJO-BAM
v.)	ORDER DIRECTING CLERK OF THE COURT TO
ELVIN VALENZUELA, Warden,)	FILE THE PETITION IN CASE NO.: 1:15-cv-
Respondent.)	01634-JLT AS AN AMENDED PETITION IN
)	CASE NO.: 1:15-cv-01289-LJO-BAM

Petitioner filed his habeas petition in case no. 1:15-cv-01289-LJO-BAM on August 4, 2015 in the U.S. District Court for the Central District of California. The case was transferred to this Court on August 19, 2015. (Doc. 3). Upon initial screening, the Court discovered that Petitioner had failed to sign the petition under penalty of perjury. Accordingly, on September 15, 2015, the Court ordered Petitioner to file a signed amended petition within thirty days. (Doc. 12).

On October 14, 2015, Petitioner filed what was clearly intended to be a signed amended petition complying with the Court's September 15, 2015 order; however, Petitioner filed the amended petition once again in the Central District of California, which, on October 26, 2015, transferred the case to this Court. Thereupon, the Clerk of the Court assigned a new case number, i.e., case no. 1:15-cv-01634-JLT.

Since it is apparent that Petitioner was attempting to comply with the Court's September 15, 2015 order by submitting a signed amended petition, and there is nothing before the Court to suggest

1 that Petitioner intended to commence a separate habeas proceeding in the case no. 1:15-cv-01634-JLT,
2 the Court will direct the Clerk of the Court to file the petition in case no. 1:15-cv-01634-JLT as the
3 amended petition in case no. 1:15-cv-1289-LJO-BAM. When that has been accomplished, the Court
4 will close case no. 1:15-cv-01634-JLT as duplicative.

5 **ORDER**

6 Accordingly, the Clerk of the Court is DIRECTED to file the original petition in case no. 1:15-
7 cv-01634-JLT as an amended petition in case no. 1:15-cv-01289-LJO-BAM.

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9 IT IS SO ORDERED.

10 Dated: October 30, 2015

11 /s/ Jennifer L. Thurston
12 UNITED STATES MAGISTRATE JUDGE
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