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

NOEL KEITH WATKINS,

Petitioner,

No. CIV S-06-0685 MCE DAD P

vs.

M. VALE, Warden, et al.,

Respondents.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 together with an application to proceed in forma pauperis under 28 U.S.C. § 1915.

Petitioner has submitted his in forma pauperis application on a form from which the certificate section appears to have been deleted. Rule 3 of the Rules Governing Section 2254 Cases in the United States District Courts provides that a habeas petition must be accompanied by either the applicable filing fee or an application to proceed in forma pauperis that includes the affidavit required by 28 U.S.C. § 1915 “and a certificate from the warden or other appropriate officer of the place of confinement showing the amount of money or securities that the petitioner has in any account in the institution.” Petitioner will be granted thirty days to file a properly completed application to proceed in forma pauperis.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Petitioner shall submit, within thirty days from the date of this order, a properly
3 completed application to proceed in forma pauperis; petitioner's failure to comply with this order
4 or request an extension of time in which to comply will result in a recommendation that this
5 action be dismissed without prejudice; and

6 2. The Clerk of the Court is directed to send petitioner a copy of the in forma
7 pauperis form used by this district in habeas proceedings.

8 DATED: April 5, 2006.

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11 _____
12 DALE A. DROZD
13 UNITED STATES MAGISTRATE JUDGE

12 DAD:13
13 watk0685.101a