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

RONALD ROSENBURG,

Petitioner,

No. CIV S-06-1817 LKK PAN P

vs.

THOMAS L. CAREY and

D.K. SISTO, Warden, et al.,

Respondent.

ORDER

_____/

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in forma pauperis affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a).

On August 15, 2006, petitioner filed a document styled as a “letter of indigency” regarding his inability to furnish the court with the requisite number of copies of his petition. On August 15, 2006, a letter from Mrs. B. Fisher was filed in this matter, indicating her intent to pay petitioner’s filing fee with an enclosed money order; however, no money order was enclosed. Petitioner will be provided the opportunity to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee.

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1 In accordance with the above, IT IS HEREBY ORDERED that:

2 1. Petitioner shall submit, within thirty days from the date of this order, an
3 affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee;
4 petitioner's failure to comply with this order will result in the dismissal of this action; and

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

7 DATED: August 22, 2006.

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9 
10 UNITED STATES MAGISTRATE JUDGE

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12 rose1817.101a