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

KEVIN DAVID ROBINSON,

No. CIV S-07-1003-FCD-CMK-P

Petitioner,

vs.

ORDER

D.K. SISTO, et al.,

Respondents.

\_\_\_\_\_ /

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Pending before the court is petitioner’s request for leave to proceed in forma pauperis (Doc. 1). Petitioner’s petition will be addressed separately. Petitioner has submitted the affidavit required by 28 U.S.C. § 1915(a) showing that petitioner is unable to prepay fees and costs or give security therefor. Therefore, petitioner’s motion for leave to proceed in forma pauperis will be granted.

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1 The court has examined the petition as required by Rule 4 of the Federal Rules  
2 Governing Section 2254 Cases. It does not plainly appear from the petition and any attached  
3 exhibits that petitioner is not entitled to relief. See id. Respondents, therefore, will be directed  
4 to file a response to petitioner's petition. See id. If respondents answer the petition, such answer  
5 must comply with Rule 5 of the Federal Rules Governing Section 2254 Cases. Specifically, an  
6 answer shall be accompanied by any and all transcripts or other documents relevant to the  
7 determination of the issue(s) presented in the petition. See id.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. Petitioner's motion for leave to proceed in forma pauperis (Doc. 1) is  
10 granted;

11 2. Respondents are directed to file a response to petitioner's petition within  
12 30 days from the date of service of this order;

13 3. Petitioner's traverse or reply (if respondent files an answer to the petition),  
14 if any, or opposition or statement of non-opposition (if respondent files a motion in response to  
15 the petition) shall be filed and served within 30 days of service of respondent's response;

16 4. The Clerk of the Court shall serve a copy of this order, together with a  
17 copy of petitioner's petition for a writ of habeas corpus on Michael Patrick Farrell, Senior  
18 Assistant Attorney General.

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20 DATED: June 5, 2007.

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23 **CRAIG M. KELLISON**  
24 UNITED STATES MAGISTRATE JUDGE  
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