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

FRANKIE DOSTY,

No. CIV S-07-1361-FCD-CMK-P

Petitioner,

vs.

ORDER

M.C. KRAMER, 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 application for leave to proceed in forma pauperis (Doc. 2). Petitioner has not, however, submitted a “certification 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” as required by Rule 3(a)(2) of the Federal Rules Governing Section 2254 Cases. In this case, there is no certification from the appropriate prison official and the trust account statement attached to the application is not itself certified. Petitioner will be provided the opportunity to submit the

1 required certification or the appropriate filing fee.¹ Petitioner is warned that failure to comply
2 with this order may result in the dismissal of this action. See Local Rule 11-110.

3 Accordingly, IT IS HEREBY ORDERED that petitioner shall submit within 30
4 days of the date of this order, a certification as required by Rule 3(a)(2), or the appropriate filing
5 fee.

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7 DATED: July 13, 2007.

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10 **CRAIG M. KELLISON**
11 UNITED STATES MAGISTRATE JUDGE

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¹ Based on the uncertified trust account statement provided, it appears that plaintiff can pay the \$5.00 filing fee.