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

JESUS LUA,

Petitioner,

No. CIV S-08-0213 WBS JFM P

vs.

M. MARTEL, Warden,

Respondent.

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 a request to proceed in forma pauperis.

Examination of the affidavit reveals petitioner is unable to afford the costs of this action. Accordingly, leave to proceed in forma pauperis is granted. 28 U.S.C. § 1915(a).

Petitioner has failed to sign the petition. Rule 11(a) of the Federal Rules of Civil Procedure require that all pleadings be signed by a party proceeding pro se. Accordingly, the Clerk of the Court will be directed to send petitioner a copy of his petition. Petitioner will be directed to re-file a signed petition within thirty days from the date of this order. Petitioner is cautioned that failure to comply with this order will result in a recommendation that this action be dismissed.

Therefore, IT IS HEREBY ORDERED that:

- 1. Petitioner is granted leave to proceed in forma pauperis;

