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

CURTIS SCOTT,

Petitioner,

No. CIV-S-08-2227 GEB KJM P

vs.

DERRYL ADAMS,

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.

The court has reviewed petitioner’s request to proceed in forma pauperis and finds that petitioner is unable to afford the costs of this action. Therefore, petitioner’s request to proceed in forma pauperis will be granted.

The court has reviewed petitioner’s habeas petition and finds that it is not presented in a manner that allows the court to comprehend petitioner’s claims. The petition totals approximately 800 pages and contains a great deal of material interspersed with the claims, such as excerpts of court transcripts and copies of court cases the court has access to otherwise. Petitioner’s descriptions of his claims are verbose and at times confusing, given the multiple

1 cross-references provided. Petitioner's petition will be dismissed and petitioner will be given
2 leave to file an amended petition. Petitioner must adhere to the instructions given to him below
3 regarding the contents of any amended petition. If he does not, the court may recommend that
4 this action be dismissed for failure to comply with this order.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. Petitioner is granted leave to proceed in forma pauperis;
7 2. Petitioner's application for writ of habeas corpus is dismissed with leave to
8 amend within thirty days from the date of this order;

9 3. Any amended petition must:

10 A. Bear the case number assigned to this action and the title "Amended
11 Petition";

12 B. Be filed on the form provided by the Clerk of the Court;

13 C. Not exceed 50 pages;

14 D. Not include court transcripts or copies of cases; and

15 E. Be concise, clear and legible.

16 4. The Clerk of the Court is directed to send petitioner the court's form for
17 application for writ of habeas corpus.

18 DATED: February 5, 2009.

19 
20 U.S. MAGISTRATE JUDGE

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