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

BERNARD STEPPE,

Petitioner,

No. CIV S-08-3020 JAM GGH P

vs.

JERRY BROWN, Attorney General,

Respondents.

ORDER

_____/

Pursuant to the Order, filed on 12/18/08 (Docket # 4), petitioner was directed, should he seek to proceed upon objections to the Findings and Recommendations therein, separately recommending summary dismissal of his application for a writ of habeas corpus, to submit either an affidavit supporting a request to proceed in forma pauperis or the appropriate filing fee. However, review of the case docket demonstrates that petitioner paid the filing fee as of 12/12/08. Therefore, the portion of the Order (Docket # 4) regarding petitioner's further obligation as to the filing fee is hereby vacated.

IT IS SO ORDERED.

DATED: January 16, 2009

/s/ Gregory G. Hollows

GREGORY G. HOLLOWES
UNITED STATES MAGISTRATE JUDGE