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

ERICK HUFF,

Petitioner,

No. 2:08-cv-3053 JFM (HC)

vs.

MARTEL,

Respondent.

ORDER

_____ /

On January 9, 2009, petitioner filed a request for an extension of time in which to file an application for writ of habeas corpus pursuant to this court’s order of January 5, 2009. Petitioner’s request was granted on January 22, 2009. However, petitioner is cautioned that the January 5, 2009 order also required petitioner to either pay the filing fee or to submit a complete application requesting leave to proceed in forma pauperis. In an abundance of caution, petitioner will be allowed to file either the completed application to proceed in forma pauperis or pay the filing fee by February 22, 2009, along with his amended petition. Good cause appearing, IT IS HEREBY ORDERED that petitioner shall either pay the filing fee or submit a complete application to proceed in forma pauperis, along with the amended petition, on or before February

1 22, 2009. Failure to comply with this order, or to file an amended petition pursuant to this
2 court's prior orders, will result in a recommendation that this action be dismissed.

3 DATED: January 26, 2009.

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6 UNITED STATES MAGISTRATE JUDGE

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