

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

CHRISTOPHER JAMES XIMENEZ,

Petitioner,

vs.

JAMES D. HARTLEY,¹ Warden, Avenal
State Prison,

Respondent.

No. 2:08-cv-03056-JKS

ORDER

[Re: Motion at Docket No. 51]

At Docket No. 51 Christopher James Ximenez filed an Application to Proceed Without Prepayment of Fees. At Docket No. 10, this Court previously granted Ximenez leave to proceed *in forma pauperis*. Accordingly,

IT IS THEREFORE ORDERED THAT the Application to Proceed Without Prepayment of Fees at Docket No. 51 is **DENIED** as moot.

Dated: October 12, 2011.

/s/ James K. Singleton, Jr.
JAMES K. SINGLETON, JR.
United States District Judge

¹ James D. Hartley, Warden, Avenal State Prison, is substituted for Derrell G. Adams, Warden, Mule Creek State Prison. Fed. R. Civ. P. 25(d).