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

DAVID ENGLUND,

Petitioner,

No. 2:08-cv-3126 JFM (HC)

vs.

D.K. SISTO, Warden,

Respondent.

ORDER

\_\_\_\_\_ /

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in forma pauperis affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). Petitioner will be provided the opportunity to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee.

In accordance with the above, IT IS HEREBY ORDERED that petitioner shall submit, within thirty days from the date of this order, an affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee; petitioner’s failure to comply with this order will result in the dismissal of this action; and

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2. The Clerk of the Court is directed to send petitioner a copy of the in forma pauperis form used by this district.

DATED: January 14, 2009.

  
UNITED STATES MAGISTRATE JUDGE

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DAVID ENGLUND,

Petitioner,

No. 2:08-cv-3126-JFM (HC)

vs.

D. K. SISTO, Warden,

NOTICE OF SUBMISSION

Respondent.

\_\_\_\_\_ /

Petitioner hereby submits the following document in compliance with the court's  
order filed \_\_\_\_\_:

\_\_\_\_\_

In Forma Pauperis Application

OR

\_\_\_\_\_

Filing Fee (\$5.00) for Habeas Corpus Action

DATED:

\_\_\_\_\_  
Petitioner