

1  
2  
3  
4  
5 **IN THE UNITED STATES DISTRICT COURT**  
6 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
7

8 CARL D. MITCHELL,

No. CIV S-09-0269-CMK-P

9 Petitioner,

10 vs.

ORDER

11 A. HEDGEPTH,

12 Respondent.  
13 \_\_\_\_\_/

14 Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of  
15 habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner's request for  
16 leave to proceed in forma pauperis (Doc. 2). Petitioner's petition will be addressed separately.

17 Petitioner has submitted the affidavit required by 28 U.S.C. § 1915(a) showing  
18 that petitioner is unable to prepay fees and costs or give security therefor.

19 Accordingly, IT IS HEREBY ORDERED that petitioner's motion for leave to  
20 proceed in forma pauperis (Doc. 2) is granted.

21  
22 DATED: February 5, 2009

23   
24 **CRAIG M. KELLISON**  
25 UNITED STATES MAGISTRATE JUDGE  
26