

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

HAFED THABET,

Petitioner,

vs.

MICHAEL MARTELL, Warden, Mule  
Creek State Prison,

Respondent.

No. 2:09-cv-01284-JKS

ORDER

[Re: Motion at Docket No. 13]

At Docket No. 13 Hafed Thabet, a state prisoner appearing *pro se*, filed a Motion for Leave to Appeal *In Forma Pauperis*. The motion is unnecessary. There is no filing fee required for a state prisoner to appeal from the denial of a petition for a writ of habeas corpus under 28 U.S.C. § 2254.<sup>1</sup> Accordingly,

**IT IS THEREFORE ORDERED THAT** the Motion for Leave to Appeal *In Forma Pauperis* at Docket No. 13 is **DENIED** as moot.

Dated: January 28, 2011.

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

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<sup>1</sup> *Naddi v. Hill*, 106 F.3d 275, 277 (9th Cir. 1997).