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

CROSSAN D. HOOVER, JR.,

Petitioner,

No. CIV S-09-1917 DAD P

vs.

J.W. HAVILAND,

Respondent.

ORDER

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Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On July 27, 2009, the court ordered petitioner to file an application requesting leave to proceed in forma pauperis or the appropriate filing fee. On September 11, 2009, petitioner filed a request for an extension of time to file an application to proceed in forma pauperis, contending that prison officials had lost or misplaced his application. However, court records indicate that petitioner's in forma pauperis application was filed with the court on September 3, 2009. Therefore, plaintiff's request for an extension of time will be denied as unnecessary. In addition, petitioner's in forma pauperis application filed on September 11, 2009, will be denied as duplicative.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's September 3, 2009 motion to proceed in forma pauperis (Doc. No. 5) is granted;
2. Petitioner's September 11, 2009 motion for an extension of time (Doc. No. 6) is denied as unnecessary; and
3. Petitioner's application to proceed in forma pauperis (Doc. No. 7) is denied as duplicative.

DATED: October 5, 2009.

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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