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

8 LAMAR WHATLEY,

9 Petitioner,

No. CIV S-09-2105 GGH P

10 vs.

11 MIKE EVANS,

12 Respondent.

ORDER

13 \_\_\_\_\_/  
14 Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of  
15 habeas corpus pursuant to 28 U.S.C. § 2254. On August 10, 2009, the undersigned ordered that  
16 respondents file a response and that petitioner file an application to proceed in forma pauperis.  
17 Petitioner filed a application to proceed in forma pauperis on August 18, 2009

18 Examination of the in forma pauperis application reveals that petitioner is unable  
19 to afford the costs of suit. Accordingly, the application to proceed in forma pauperis will be  
20 granted. See 28 U.S.C. § 1915(a).

21 In accordance with the above, IT IS HEREBY ORDERED that:

22 1. Plaintiff's request for leave to proceed in forma pauperis is granted.

23 DATED: August 31, 2009

24 /s/ Gregory G. Hollows

25 UNITED STATES MAGISTRATE JUDGE

26 GGH:ab  
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