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

DANIEL P. CASHMAN,

Petitioner,

No. CIV S-09-2683 MCE EFB P

vs.

JOSEPH S. WARCHOLL, II, et al.,

Respondents.

ORDER

\_\_\_\_\_/

Petitioner, proceeding with counsel, seeks a writ of habeas corpus on behalf of his minor son, identified as B.W. *See* 28 U.S.C. § 2254. The court requires all petitions for writ of habeas corpus be filed on the proper form which is provided by this court. L.R. 190(b); *see also* Rule 2(c)-(d), Fed. R. Governing § 2254 Cases. Petitioner is hereby notified that in order for this court to review the September 24, 2009 application, he must refile it on the proper form. Furthermore, although petitioner may submit a separate memorandum to support his petition for relief, the court’s application form must contain all relevant claims, and must provide the court with all necessary information. *See* L.R. 190(e); Rule 2(c), Fed. R. Governing § 2254 Cases.

Accordingly, it is ORDERED that:

1. The September 24, 2009 petition is dismissed with leave to file an amended petition within 30 days of the date of this order;

1           2. Any amended petition must be filed on the form employed by this court and must state  
2 all claims and prayers for relief on the form. It must bear the case number assigned to this action  
3 and must bear the title "Amended Petition";

4           3. Petitioner is cautioned that failure to file an amended petition pursuant to this order  
5 may result in the dismissal of this action; and

6           4. The Clerk of the Court is directed to send petitioner the court's form for application  
7 for writ of habeas corpus.

8 DATED: February 4, 2010.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE

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