

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

AYERS LOVETTE,

Petitioner,

No. CIV S-09-2928 GGH P

vs.

PEOPLE OF SACRAMENTO COUNTY,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in forma pauperis affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). Petitioner will be provided the opportunity to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee.¹

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

1. Petitioner shall submit, within twenty-eight days from the date of this order, an affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee;

¹ It appears that petitioner meant to file this action in the Sacramento County Superior Court. The court will dismiss this action without prejudice if petitioner does not file an in forma pauperis application.

1 petitioner's failure to comply with this order will result in the dismissal of this action;

2 2. The Clerk of the Court is directed to send petitioner a copy of the in forma
3 pauperis form used by this district.

4 DATED: November 4, 2009

5

/s/ Gregory G. Hollows

6

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

7

8 GGH:md
love2928.100.ifp

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26