

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

10 || KAVASIO K. HALL,

11 || Petitioner,

No. CIV S-10-0714 WBS DAD F

12

13 | McDONALD,

Respondent. ORDER

16 Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of
17 habeas corpus pursuant to 28 U.S.C. § 2254, together with an application to proceed in forma
18 pauperis.

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

22 Since petitioner may be entitled to relief if the claimed violation of constitutional
23 rights is proved, respondents will be directed to file a response to petitioner's habeas petition.

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

2 1. Petitioner's application to proceed in forma pauperis (Doc. No. 2), is granted;

3 2. Respondent is directed to file a response to petitioner's habeas petition within
4 sixty days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases. An answer
5 shall be accompanied by all transcripts and other documents relevant to the issues presented in
6 the petition. See Rule 5, Fed. R. Governing § 2254 Cases;

7 3. If the response to the habeas petition is an answer, petitioner's reply, if any,

8 shall be filed and served within thirty days after service of the answer;

9 4. If the response to the habeas petition is a motion, petitioner's opposition or

10 statement of non-opposition to the motion shall be filed and served within thirty days after

11 service of the motion, and respondent's reply, if any, shall be filed and served within fourteen
12 days thereafter; and

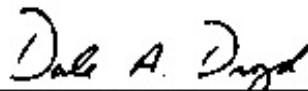
13 5. The Clerk of the Court shall serve a copy of this order, a copy of the petition

14 for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1), and the court's form

15 regarding consent or request for reassignment on Michael Patrick Farrell, Senior Assistant

16 Attorney General.

17 DATED: April 29, 2010.

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21 DALE A. DROZD
22 UNITED STATES MAGISTRATE JUDGE
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20 DAD:4
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