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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 ALTON E. DEAN,

No. CIV S-10-cv-0806 CMK-P

12 Petitioner,

13 vs.

ORDER

14 ERIK MANESS,

15 Respondent.
16 _____/

17 Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of
18 habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed a complete
19 application to proceed in forma pauperis, along with a “certification from the warden or other
20 appropriate officer of the place of confinement showing the amount of money or securities that
21 the petitioner has in any account in the institution” as required by Rule 3(a)(2) of the Federal
22 Rules Governing Section 2254 Cases, or paid the required filing fee. See 28 U.S.C. §§ 1914(a),
23 1915(a). Petitioner will be provided the opportunity to submit either a completed application to
24 proceed in forma pauperis, with the required certification, or pay the appropriate filing fee. As to
25 the certification requirement, while a copy of petitioner’s prison trust account statement certified
26 by prison officials is not required to satisfy the requirement, such a statement will suffice.

1 Petitioner is warned that failure to comply with this order may result in the dismissal of this
2 action for lack of prosecution and failure to comply with court rules and orders. See Local Rule
3 110.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. Petitioner shall submit on the form provided by the Clerk of the Court,
6 within 30 days from the date of this order, a complete application for leave to proceed in forma
7 pauperis, with the certification required by Rule 3(a)(2), or pay the appropriate filing fee; and

8 2. The Clerk of the Court is directed to send petitioner a new form
9 Application to Proceed In Forma Pauperis By a Prisoner.

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11 DATED: April 21, 2010

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13 **CRAIG M. KELLISON**
14 UNITED STATES MAGISTRATE JUDGE
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