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

RUDY MAMARIL,

No. CIV S-10-1431-CMK-P

Petitioner,

vs.

ORDER

GARY SWARTHOUT,

Respondent.

_____ /

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner’s application for leave to proceed in forma pauperis (Doc. 6). Because petitioner has paid the filing fee for this action, petitioner’s application is denied as unnecessary.

IT IS SO ORDERED.

DATED: July 22, 2010



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE