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

LESTER C. RUSSELL,

Petitioner,

No. CIV S-10-2137 MCE EFB P

vs.

ROCHELLE HAO,

Respondent.

ORDER

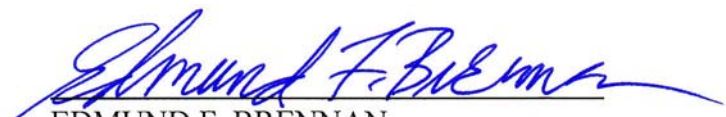
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Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28 U.S.C. § 2254. On September 30, 2010, the undersigned recommended that this action be dismissed because petitioner has not paid the filing fee or filed a completed in forma pauperis application. Dckt. No. 8. On October 27, 2010, petitioner filed a letter with the court, stating that he was transferred to a new prison, has been without his personal property, and has not had access to a pen or paper. Dckt. No. 11. Petitioner therefore requests “more time.” *Id.* The court construes petitioner’s letter as a request for an extension of time to either pay the filing fee or file a completed in forma pauperis application. *See* Fed. R. Civ. P. 6(b).

Good cause appearing, it is ORDERED that petitioner’s October 27, 2010 letter, construed as a request for an extension of time, is granted and petitioner has 30 days from the date this order is served to either pay the filing fee or file a completed in forma pauperis

1 application. Should petitioner fail to comply with this order, the September 30, 2010 findings  
2 and recommendations will be submitted to the District Judge. The Clerk of the Court is directed  
3 to mail to petitioner a form application for leave to proceed in forma pauperis.

4 Dated: December 6, 2010.

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6 EDMUND F. BRENNAN  
7 UNITED STATES MAGISTRATE JUDGE  
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