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

TAHEE ABDULLAH RASHEED,

Petitioner,

No. CIV S-10-2184 EFB P

vs.

WARDEN, et al.,

Respondents.

ORDER

_____/


Petitioner, a prisoner without counsel, has filed a petition for a writ of habeas corpus. See 28 U.S.C. § 2254. On August 31, 2010, the court ordered petitioner to either pay the filing fee or request leave of court to proceed *in forma pauperis*. The Clerk of the Court mailed petitioner a form application for leave to proceed *in forma pauperis*. The court also warned petitioner that his failure to return the completed form within 30 days would result in a recommendation that this action be dismissed.

Rather than submit an *in forma pauperis* application or the filing fee, petitioner has filed a document with the court indicating that he requested that the prison trust office forward the \$5.00 filing fee to the court. Dckt. No. 5. The court has not received a filing fee, however. It is petitioner's responsibility to ensure that the court receives either the filing fee or a proper *in forma pauperis* application.

1 Within 30 days from the day this order is served, petitioner may submit either the filing
2 fee or the application required by section 1915(a). Petitioner's failure to comply with this order
3 will result dismissal of this action. The Clerk of the Court is directed to mail to petitioner a form
4 application for leave to proceed *in forma pauperis*.

5 So ordered.

6 DATED: October 18, 2010.


7 EDMUND F. BRENNAN
8 UNITED STATES MAGISTRATE JUDGE
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