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

JOSE HUMBERTO MAGANA-TORRES,

No. CIV S-10-2669-WBS-CMK-P

Petitioner,

vs.

ORDER

KELLY HARRINGTON,

Respondent.

_____ /

Petitioner, a state prisoner proceeding with retained counsel, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner’s motion for leave to proceed in forma pauperis (Doc. 15), which appears to have been filed by petitioner pro se without assistance of counsel. In any event, the request is denied as unnecessary because the filing fee has been paid.

IT IS SO ORDERED.

DATED: January 20, 2011



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE