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

GEORGE EUGENE CROSS,

Petitioner,

No. CIV S-10-3278 GGH P

vs.

SANDRA HUTCHINS,

Respondent.

ORDER

_____ /

Petitioner, perhaps a pre-trial detainee proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner has not paid the filing fee or filed a request to proceed in forma pauperis.

Petitioner is presently incarcerated at the Santa Ana Central Men’s Jail in Orange County related to a crime that also appears to have occurred in Orange County. Though not entirely clear, it does not appear petitioner has been convicted and instead wants the court to find his appointed counsel is ineffective in his pending case. It is also not clear if this is a state or federal crime. Petitioner has also included allegations regarding prior habeas petitions filed in the Eastern District of California, but the allegations of the entire petition are incomprehensible.

The petition is dismissed but petitioner is granted leave to file an amended petition within twenty-eight days of service of this order. Failure to file an amended petition will

1 result in a recommendation that this action be dismissed. Petitioner should clearly indicate if he
2 has been convicted or not, where the conviction and crime occurred and if it was a state or
3 federal crime.

4 In accordance with the above, IT IS HEREBY ORDERED that:

5 1. Petitioner shall submit, within twenty-eight days from the date of this order, an
6 affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee;

7 2. The petition is dismissed and petitioner is granted leave to file an amended
8 petition within twenty-eight days of service of this order. Failure to file an amended petition will
9 result in a recommendation that this action be dismissed.

10 DATED: December 14, 2010

11 /s/ Gregory G. Hollows

12 _____
13 GREGORY G. HOLLOWES
14 UNITED STATES MAGISTRATE JUDGE

14 GGH: ab
15 cross3278.100