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

MAURICE COOK,

Petitioner,

No. 2:11-cv-0019 KJN P

vs.

WARDEN,

Respondent.

ORDER

\_\_\_\_\_ /

Petitioner, a state prisoner proceeding without counsel, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner filed a declaration in support of his request to proceed in forma pauperis. However, the form was signed by plaintiff on September 19, 2006, and certified petitioner had \$47.00 in his prison trust account on September 26, 2006. Accordingly, that information is over four years old and does not allow the court to determine whether petitioner is entitled to proceed in forma pauperis at the present time. Therefore, petitioner will be provided the opportunity to submit a current affidavit in support of his request to proceed in forma pauperis.


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

1. Petitioner shall submit, within thirty days from the date of this order, a current affidavit in support of his request to proceed in forma pauperis. Petitioner must sign the form

1 within a reasonable time of submission to the court, and a prison official must certify petitioner's  
2 current assets. Petitioner's failure to comply with this order will result in the dismissal of this  
3 action; and

4           2. The Clerk of the Court is directed to send petitioner a copy of the in forma  
5 pauperis form used by this district.

6 DATED: January 12, 2011

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9 KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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