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

10 JONATHAN L. SUMRALL,

11 Petitioner,

No. 2:11-cv-1253 KJN P

12 vs.

13 GARY SWARTHOUT,

14 Respondent.

ORDER

15 _____/
16 Petitioner, a state prisoner proceeding without counsel, has filed an application for
17 a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in
18 forma pauperis affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a);
19 1915(a). Therefore, petitioner will be provided the opportunity to either submit the appropriate
20 affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee.

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


22 1. Petitioner shall submit, within thirty days from the date of this order, an
23 affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee;
24 petitioner's failure to comply with this order will result in the dismissal of this action; and

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

3 DATED: May 16, 2011

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5 
6 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

7 sumr1253.101a