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

DARRYL KEITH ALEXANDER,

Petitioner,

No. 2:11-cv-1666 KJN P

vs.

DOMINGO URIBE, JR., Warden,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner at Centinela State Prison, has filed a document styled “motion for extension of time,” to file a petition for writ of habeas corpus. No other pleadings have been filed by the petitioner. In order to commence an action, petitioner must file a petition for writ of habeas corpus as required by Rule 3 of the Rules Governing Section 2254 cases, and petitioner must either pay the required filing fee or file an application requesting leave to proceed in forma pauperis. See 28 U.S.C. §§ 1914(a), 1915(a). The court will not issue any orders granting or denying relief until an action has been properly commenced. Therefore, petitioner’s motion will be denied without prejudice. Petitioner will be provided the opportunity to file his petition, and to submit an application requesting leave to proceed in forma pauperis or to submit the appropriate filing fee.

Petitioner has also filed a motion directing prison officials to “exceed” the fifty

1 page copy limit. Apparently, petitioner wishes to file a pleading in this court that exceeds fifty
2 pages. Petitioner does not state by how many pages he wishes to exceed the fifty page limit. Nor
3 does petitioner describe the “excess” documents of which he seeks copies. For these reasons,
4 this motion is denied.

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

6 1. Petitioner’s June 20, 2011 motion for extension of time (Dkt. No. 1) is denied
7 without prejudice;


8 2. Petitioner is granted thirty days from the date of service of this order to file a
9 petition that complies with the requirements of the Rules Governing Section 2254 Cases, the
10 Federal Rules of Civil Procedure, and the Local Rules of Practice; the petition must bear the
11 docket number assigned this case; petitioner must file an original and two copies of the petition.

12 3. Petitioner shall also submit, within thirty days from the date of this order, the
13 application to proceed in forma pauperis on the form provided by the Clerk of Court, or the filing
14 fee in the amount of \$5.00. Petitioner’s failure to comply with this order will result in a
15 recommendation that this matter be dismissed.

16 4. The Clerk of the Court is directed to send petitioner the court’s form for filing
17 a petition for writ of habeas corpus and the application to proceed in forma pauperis by a
18 prisoner.

19 5. Petitioner’s motion regarding the “copy limit” (Dkt. No. 3) is denied.

20 DATED: June 28, 2011

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23 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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