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

LARRY F. DURDEN,

Petitioner,

No. CIV S-11-2866 GGH P

vs.

U.S.D.A. REGION #5, et al.,

Respondents.

ORDER

_____/

Petitioner, a state prisoner proceeding pro se, has purportedly filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, though petitioner has not filed an application to proceed in forma pauperis. However, after reviewing the filing, it is not clear what petitioner has filed. The filing is vague, rambling and incoherent and the named defendants, El Dorado National Forest, Lake Tahoe Basin Management, and a fire resource officer are not the proper respondents for a habeas petition.

This action will be reclassified as a civil rights action pursuant to 42 U.S.C. § 1983 and plaintiff will be given an opportunity to file an application to proceed in forma pauperis.

///

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

2 1. The Clerk of the Court shall reclassify this case as a civil rights action
3 pursuant to 42 U.S.C. § 1983 and send to plaintiff a copy of the in forma pauperis form used by
4 this district.

5 2. Petitioner shall submit, within twenty-eight days from the date of this order a
6 completed in forma pauperis application. Petitioner's failure to comply with this order will result
7 in the dismissal of this action.

8 DATED: November 22, 2011

9 /s/ Gregory G. Hollows
10 UNITED STATES MAGISTRATE JUDGE

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