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

NOU VANG,

Petitioner,

No. CIV S-12-0159 DAD P

vs.

STATE OF CALIFORNIA, et al.,

Respondents.

ORDER

\_\_\_\_\_ /

Petitioner, a state prisoner at California State Prison, Solano, has commenced this action by filing a motion for stay and abeyance. He has not filed a petition for writ of habeas corpus or any other pleadings with this court.

Petitioner is advised that, in order to commence an action, he 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. 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.

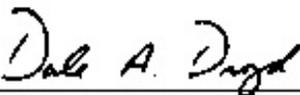
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1 In accordance with the above, IT IS HEREBY ORDERED that:

2 1. Petitioner is granted thirty days from the date of service of this order to file a  
3 petition that complies with the requirements of the Rules Governing Section 2254 Cases, the  
4 Federal Rules of Civil Procedure, and the Local Rules of Practice; the petition must bear the  
5 docket number assigned this case. Petitioner shall also submit, within thirty days from the date  
6 of this order, the application to proceed in forma pauperis on the form provided by the Clerk of  
7 Court, or the filing fee in the amount of \$5.00. Petitioner's failure to comply with this order will  
8 result in a recommendation that this matter be dismissed; and

9 2. The Clerk of the Court is directed to send petitioner the court's form for filing  
10 a petition for writ of habeas corpus and the application to proceed in forma pauperis by a  
11 prisoner.

12 DATED: February 1, 2012.

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16 DALE A. DROZD  
17 UNITED STATES MAGISTRATE JUDGE

17 DAD:mp  
18 vang0159.nopetition