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

NATHANIEL POPLAR,

Petitioner,

No. 2:12-cv-01368 KJN P

vs.

M. BITER,

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. Although petitioner has filed an in forma pauperis affidavit, he did not submit a completed certificate by an institutional officer showing the amount of money or securities in petitioner’s institutional trust accounts, as required by Rule 3(a)(2), Federal Rules Governing Section 2254 Cases. Therefore, petitioner will be provided the opportunity to submit such certificate in support of his request to proceed in forma pauperis, or the appropriate filing fee (\$5.00).

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

1. Petitioner shall submit, within thirty days after service of this order, a completed certificate by an institutional officer showing the amount of money or securities in petitioner’s institutional trust accounts; petitioner shall also again complete the affidavit portion


1 of the application.

2 2. Petitioner may, alternatively, submit the \$5.00 filing fee.

3 3. Petitioner's failure to comply with this order may result in a recommendation
4 that this action be dismissed without prejudice.

5 4. The Clerk of the Court is directed to send petitioner a blank Application to
6 Proceed in Forma Pauperis by a Prisoner used in this district.

7 DATED: May 30, 2012

8
9 
10 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

11 popl1368.101a.no cert