

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

CECIL JEROME HATCHETT,

Petitioner,

No. 2:12-cv-02228-DAD P

vs.

GONZALEZ,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, used the form petition employed by this court and not all of the information required by the court has been provided. Therefore, petitioner will be provided the court’s form petition and ordered to file an amended petition. In addition, petitioner has not filed an in forma pauperis affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). Petitioner will be provided the opportunity to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee.

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

1. Within thirty days from the date of this order, petitioner shall file an amended petition for a writ of habeas corpus using the form provided by the court; the amended petition

1 must bear the docket number assigned this case and must be labeled "Amended Petition;"
2 petitioner must answer each question in the form petition;

3 2. Petitioner shall submit, within thirty days from the date of this order, an
4 affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee;

5 3. The Clerk of the Court is directed to provide petitioner a copy of the in forma
6 pauperis form and the form petition for a writ of habeas corpus for a state prisoner used by this
7 district; and

8 4. Petitioner's failure to comply with this order will result in the dismissal of this
9 action.

10 DATED: September 5, 2012.

11
12 
13 _____
DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

14 DAD:mp/4
15 hatc2228.101a
16
17
18
19
20
21
22
23
24
25
26