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

STEPHANIE NICOLE ERENDS,

Petitioner,

No. 2:12-cv-2603 KJM CKD P

vs.

D.K. JOHNSON,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, 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 her request to proceed in forma pauperis or to submit the appropriate filing fee.

The court notes that petitioner’s motion for a stay holding the petition in abeyance while she exhausts state court remedies on three of her five claims is pending. The court will consider petitioner’s motion to stay if and when petitioner is granted in forma pauperis status or pays the filing fee.

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

2 1. Petitioner shall submit, within thirty days from the date of this order, an
3 affidavit in support of her request to proceed in forma pauperis or the appropriate filing fee;
4 petitioner's failure to comply with this order will result in a recommendation that this action be
5 dismissed; and

6 2. The Clerk of the Court is directed to send petitioner a copy of the in forma
7 pauperis form used by this district.

8 Dated: December 14, 2012

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10 CAROLYN K. DELANEY
11 UNITED STATES MAGISTRATE JUDGE

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