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

MOHAMMED KATTAN, No. 2:13-CV-0624-CMK-P

12 Petitioner,

13 vs. <u>ORDER</u>

14 MARION SPEARMAN,

15 Respondent.

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner seeks leave to proceed in forma pauperis. Petitioner has submitted the affidavit required by 28 U.S.C. § 1915(a) showing that petitioner is unable to prepay fees and costs or give security therefor. The request will be granted.

In addition, petitioner seeks to have the court replace a page of his petition with one submitted with his in forma pauperis application. This is not the proper way to amend a petition. If petitioner wishes to amend his petition, he must submit a complete amended petition. If petitioner believes the additional case citation is essential to his petition, he may file a complete amended petition within 30 days of the date of this order. If no amended petition is filed within that time, the court will issue a service order requiring a response to the petition.

Accordingly, IT IS HEREBY ORDERED that:

- 1. Petitioner's motions for leave to proceed in forma pauperis (Docs. 9, 10) are granted; and
- 2. Petitioner may file an amended petition within 30 days of the date of this order.

DATED: January 8, 2014

CRAIG M. KELLISON

UNITED STATES MAGISTRATE JUDGE