UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

TYRONE FUNCHES, Petitioner, v. MICHAEL D. McDONALD, Warden, Respondent.	No. 2:13-cv-1981-EFB P ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

A petitioner seeking a writ of habeas corpus either must pay the $5.00 filing fee, *see* 28 U.S.C. § 1914(a), or request leave of court to proceed in forma pauperis, 28 U.S.C. § 1915(a).

Petitioner has neither paid the fee nor submitted an application for leave to proceed in forma pauperis.

Within 30 days from the day this order is served, petitioner may submit either the filing fee or the application required by section 1915(a). Petitioner's failure to comply with this order will result in a recommendation that this action be dismissed. The Clerk of the Court is directed to mail to petitioner a form application for leave to proceed in forma pauperis.

So ordered.

Dated: October 7, 2013.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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