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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   KHATARI COLEMAN,   No. 2:13-cv-2564 KJN P

12   Petitioner,

13   v.   ORDER

14   SOLANO COUNTY DETENTION
     FACILITY,
15
                     Respondent.
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18   Petitioner, a county prisoner proceeding pro without counsel, has filed an application for a

19   writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in

20   forma pauperis affidavit or paid the required filing fee ($5.00). See 28 U.S.C. §§ 1914(a);

21   1915(a). Therefore, petitioner will be provided the opportunity to either submit the appropriate

22   affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee.

23   Petitioner did not file an actual habeas corpus petition. Instead, petitioner filed a letter

24   with the court stating that he intends to challenge his conviction. Petitioner's letter does not

25   contain the information required for a habeas corpus petition. See Federal Rules Governing

26   Section 2254 Cases, Rule 2(d). Accordingly, the court will direct the Clerk of the Court to send

27   petitioner a form for a habeas corpus petition.

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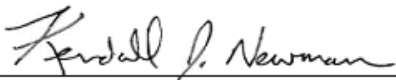   1

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

1. Petitioner shall submit, within thirty days from the date of this order, an affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee and a habeas corpus petition on the form provided by the court; petitioner's failure to comply with this order will result in a recommendation that this action be dismissed;

2. The Clerk of the Court is directed to send petitioner a copy of the in forma pauperis form used by this district and a form for a habeas corpus petition pursuant to 28 U.S.C. § 2254.

Dated: December 20, 2013

KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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