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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HOWARD MARTIN HARMLESS,
Petitioner,
v.
J. LAZZARAGA, Warden,
Respondent.

No. 2:14-cv-0223 DAD P

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. However, petitioner failed to sign his habeas petition as required by Rule 2 of the Rules Governing Section 2254 Cases. Petitioner will be ordered to sign and file an amended petition using the form provided by the court. 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 that complies with the requirements of the Federal Rules of Civil Procedure and the Rules Governing Section 2254 Cases; the amended petition must bear the docket number assigned this case (2:14-cv-00223 DAD P) and must be labeled “Amended

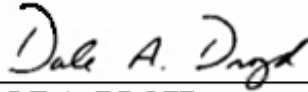
1 Petition for a Writ of Habeas Corpus"; petitioner must use the form petition provided by the Clerk
2 of the Court, answer each question and sign the amended petition under penalty of perjury;

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

5 3. Petitioner's failure to comply with this order will result in the dismissal of this action;
6 and

7 4. The Clerk of the Court is directed to provide petitioner with the court's form petition
8 for a writ of habeas corpus by a state prisoner and a copy of the in forma pauperis form used by
9 this district.

10 Dated: January 27, 2014

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

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