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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 HORTENSE WHITE,

12 Petitioner,

13 v.

14 MARITA BUNZUELA,

15 Respondent.
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No. 2:14-cv-0671 CKD P

ORDER

17 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas
18 corpus pursuant to 28 U.S.C. § 2254 together with a request for leave to proceed in forma
19 pauperis pursuant to 28 U.S.C. § 1915. (ECF Nos. 1, 11.) Petitioner has not, however, filed her
20 application for leave to proceed in forma pauperis on the form used by this district. Accordingly,
21 petitioner's application will be dismissed and she will be provided the opportunity to submit the
22 application on the appropriate form. Petitioner is cautioned that she must also provide a certified
23 copy of her prison trust account statement for the six-month period immediately preceding the
24 filing of her petition. Alternatively, petitioner may pay the \$5.00 filing fee for this action.

25 Petitioner has also filed a motion for an outside medical consultation. (ECF No. 9.) As
26 such relief is not available under 28 U.S.C. § 2254, petitioner's request will be denied. See
27 Muhammad v. Close, 540 U.S.749, 750-751 (2004) ("Challenges to the validity of any
28 confinement or to particulars affecting its duration are the province of habeas corpus . . . ;

1 requests for relief turning on circumstances of confinement may be presented in a [42 U.S.C.] §
2 1983 action.”) (internal citations omitted).

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


4 1. Petitioner’s motion to proceed in forma pauperis (ECF No. 11) is dismissed without
5 prejudice;

6 2. The Clerk of the Court is directed to send petitioner a new Application to Proceed In
7 Forma Pauperis By a Prisoner;

8 3. Petitioner shall submit, within thirty days from the date of this order, a completed
9 application to proceed in forma pauperis or, alternatively, pay the \$5.00 filing fee for this action.
10 Petitioner’s failure to comply with this order will result in a recommendation that this action be
11 dismissed without prejudice; and

12 4. Petitioner’s motion for an outside medical consultation (ECF No. 9) is denied.

13 Dated: April 4, 2014

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15 CAROLYN K. DELANEY
16 UNITED STATES MAGISTRATE JUDGE
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