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

GREGORY A. CHANDLER,

No. 2:14-CV-1753-CMK-P

Petitioner,

vs.

ORDER

J. McCOVER,

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.

Petitioner also seeks leave to amend (Doc. 5). Because no response to the petition has been filed, petitioner may amend as of right and leave of court is not necessary. See Fed. R. Civ. P. 15(a)(1). If petitioner wishes to proceed on an amended petition, he may do so by filing a first amended petition for writ of habeas corpus. If no such amended petition is filed within 30 days of the date of this order, the court will direct service of the original petition.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's motion for leave to proceed in forma pauperis (Doc. 2) is granted; and
2. Petitioner's motion for leave to amend (Doc. 5) is denied as unnecessary.

DATED: August 14, 2014



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE