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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LOVIE JAMES, SR.,  
Petitioner,  
v.  
E. ARNOLD,  
Respondent.

No. 2:14-cv-2433 MCE CKD P

ORDER

On November 5, 2014, petitioner filed a motion for leave to amend. Petitioner’s motion was not, however, accompanied by a proposed amended petition. As a litigant proceeding in forma pauperis, petitioner’s pleadings are subject to evaluation by this court pursuant to the in forma pauperis statute. See 28 U.S.C. § 1915. Since petitioner did not submit a proposed amended petition, the court is unable to evaluate it. Petitioner’s motion for leave to amend must therefore be denied.<sup>1</sup>

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<sup>1</sup> Petitioner is informed that he cannot proceed with a claim in this court unless he has exhausted state court remedies with respect to the claim. 28 U.S.C. § 2254(b)(1). A petitioner satisfies the exhaustion requirement by providing the highest state court with a full and fair opportunity to consider claims before presenting them to the federal court. Picard v. Connor, 404 U.S. 270, 276 (1971).

1           Accordingly, IT IS HEREBY ORDERED that petitioner's November 5, 2014 motion for  
2 leave to amend (ECF No. 9) is denied.

3 Dated: November 10, 2014



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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