

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GERMAN YOVANI QUEZADA,
Petitioner,
v.
W.L. MUNIZ,
Respondent.

No. 2:17-cv-00243 AC P

ORDER

On February 13, 2017, this court denied petitioner’s motion for an extension of time and motion to stay because petitioner had not submitted a habeas corpus petition. ECF No. 3. Petitioner was given thirty days to file a petition or face dismissal of this action. Id. He was also directed to file an application to proceed in forma pauperis or pay the filing fee. Id. Petitioner has now filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 along with a motion to stay. ECF No. 4. However, he still has not filed an application to proceed in forma pauperis or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). No action can be taken with regards to petitioner’s habeas corpus petition or his motion to stay until he submits the in forma pauperis application or pays the filing fee. See L.R. 121(c). Petitioner will be provided the opportunity to either submit the appropriate application in support of a request to proceed in forma pauperis or submit the appropriate filing fee. Failure to comply with this order will result in a recommendation that this action be dismissed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

1. Petitioner shall submit, within thirty days from service of this order, an application to proceed in forma pauperis on the form provided by the Clerk of the Court or the appropriate filing fee. 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.

DATED: April 4, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE