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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	KERRY L. LATHAN,	No. 2:17-cv-0464 CKD P
12	Petitioner,	
13	v.	<u>ORDER</u>
14	UNKNOWN,	
15	Respondent.	
16		
17	Mr. Lathan, a state prisoner, has filed a document seeking to appeal a decision of the	
18	California Supreme Court. This court does not have appellate jurisdiction over the California	
19	Supreme Court. Under certain circumstances, Mr. Lathan may challenge a conviction and / or	
20	sentence through a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. In order to	
21	commence a § 2254 action, Mr. Lathan must file his petition on the form which will be provided	
22	to him by the Clerk of the court. Mr. Lathan must also either pay the required filing fee or file an	
23	application requesting leave to proceed in forma pauperis. See 28 U.S.C. §§ 1914(a), 1915(a).	
24	The court will not issue any orders granting or denying relief until an action has been properly	
25	commenced.	
26	In accordance with the above, IT IS HEREBY ORDERED that:	
27	1. Mr. Lathan is granted thirty days to file a petition for writ of habeas corpus on the form	
28	to be provided by the Clerk of the Court. The	e petition must bear the docket number assigned this
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1	case. Mr. Lathan shall also submit, within thirty days, the application to proceed in forma	
2	pauperis on the form provided by the Clerk of Court, or the filing fee in the amount of \$5.00. Mr	
3	Lathan's failure to comply with this order will result in a recommendation that this matter be	
4	dismissed.	
5	2. The Clerk of the Court is directed to send Mr. Lathan the court's form for filing a	
6	petition for writ of habeas corpus by state prisoners, and the application to proceed in forma	
7	pauperis by a prisoner.	
8	Dated: March 8, 2017 Carop U. Delany	
9	CAROLYN K. DELANEY	
10	UNITED STATES MAGISTRATE JUDGE	
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