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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH WAYNE MILLS,  
Petitioner,

v.

USDC, EASTERN DISTRICT OF  
CALIFORNIA,  
Respondent.

No. 2:17-cv-2099 DB P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in forma pauperis affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). Petitioner will be provided the opportunity to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee.

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

- 1. Petitioner shall submit, within thirty days from the date of this order, an affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee; petitioner’s failure to comply with this order will result in a recommendation that this action be dismissed;
- and

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2. The Clerk of the Court is directed to send petitioner a copy of the in forma pauperis form used by this district.

DATED: October 12, 2017

/s/ DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

DLB:9  
DB/orders.prisoner-habeas/mill2099.101a