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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE ANTONIO DURAN,
Petitioner,
v.
SCOTT FRAUENHEIM,
Respondent.

No. 2:17-cv-2122 GEB AC P

ORDER

By order filed October 31, 2017, the undersigned denied petitioner’s motion for a stay without prejudice, and gave him thirty days to file another motion in accordance with the order or proceed on the petition without a stay. ECF No. 7. Petitioner was also given thirty days to submit either an application to proceed in forma pauperis or the required filing fee. Id. Thirty days have now passed and although petitioner has filed an amended motion for stay (ECF No. 8), he has not submitted an application to proceed in forma pauperis or the required filing fee. The court will not take any action on the motion until his fee status has been resolved.

Accordingly, IT IS HEREBY ORDERED that:


1. Within thirty days of service of this order, petitioner must submit an application in support of his request to proceed in forma pauperis or the appropriate filing fee.
2. Failure to comply with this order will result in a recommendation that this action be dismissed without prejudice.

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

IT IS SO ORDERED.

DATED: December 19, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE