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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TOU CHRISTMAS THAO,  
  
                                  Petitioner,  
  
          v.  
  
SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SACRAMENTO,  
  
                                  Respondent.

No. 2:17-cv-2396 AC 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. ECF No. 1. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

          On November 27, 2017, petitioner was directed either to submit an affidavit in support of his request to proceed in forma pauperis or to pay the required \$5.00 filing fee within thirty days. See ECF No. 3. To date, petitioner has done neither.

          Petitioner will be given a second and final opportunity to comply with the court’s order. Failure to do so will result in a recommendation that this action be dismissed for failure to comply with a court order and for failure to prosecute.


          Accordingly, 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, and

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2. The Clerk of Court shall send petitioner a copy of the in forma pauperis form used in this district.

DATED: December 14, 2018

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE