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8 **IN THE UNITED STATES DISTRICT COURT**

9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

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11 DAVID FERRIS,   No. 2:19-CV-0626-DMC-P

12   Petitioner,

13   v.   ORDER

14 T. FOSS,

15   Respondent.

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17   Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of

18 habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not filed a complete application to

19 proceed in forma pauperis, along with a "certification from the warden or other appropriate

20 officer of the place of confinement showing the amount of money or securities that the petitioner

21 has in any account in the institution" as required by Rule 3(a)(2) of the Federal Rules Governing

22 Section 2254 Cases, or paid the required filing fee. See 28 U.S.C. §§ 1914(a), 1915(a).

23 Petitioner will be provided the opportunity to submit either a completed application to proceed in

24 forma pauperis, with the required certification, or pay the appropriate filing fee. As to the

25 certification requirement, while a copy of petitioner's prison trust account statement certified by

26 prison officials is not required to satisfy the requirement, such a statement will suffice. Petitioner

27 is warned that failure to comply with this order may result in the dismissal of this action for lack

28 of prosecution and failure to comply with court rules and orders. See Local Rule 110.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner shall submit on the form provided by the Clerk of the Court, within 30 days from the date of this order, a complete application for leave to proceed in forma pauperis, with the certification required by Rule 3(a)(2), or pay the appropriate filing fee; and

2. The Clerk of the Court is directed to send petitioner a new form Application to Proceed In Forma Pauperis By a Prisoner.

Dated: April 25, 2019

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE