| (HC) Garcia v. Sch | ultz  |                               | Doc. 3 |
|--------------------|---|-------------------------------|--------|
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| 8                  | UNITED STAT   | ES DISTRICT COURT             |        |
| 9                  | FOR THE EASTERN DISTRICT OF CALIFORNIA  |                               |        |
| 10                 |   |                               |        |
| 11                 | ELIAS GARCIA,   | Case No. 2:24-cv-3695-JDP (P) |        |
| 12                 | Petitioner,   |                               |        |
| 13                 | V.  | ORDER                         |        |
| 14                 | JASON SCHULTZ,  |                               |        |
| 15                 | Respondent.   |                               |        |
| 16                 |   |                               |        |
| 17                 | Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas       |                               | ,      |
| 18                 | corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in forma pauperis        |                               |        |
| 19                 | affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). Petitioner   |                               |        |
| 20                 | will be provided the opportunity to either submit the appropriate affidavit in support of a request |                               |        |
| 21                 | to proceed in forma pauperis or submit the appropriate filing fee.                                  |                               |        |
| 22                 | In accordance with the above, IT IS HEREBY ORDERED that:  |                               |        |
| 23                 | 1. Petitioner shall submit, within thirty days from the date of this order, an affidavit in         |                               |        |
| 24                 | support of his request to proceed in forma pauperis or the appropriate filing fee; petitioner's     |                               |        |
| 25                 | failure to comply with this order will result in a recommendation that this action be dismissed;    |                               |        |
| 26                 | and   |                               |        |
| 27                 | 2. The Clerk of Court is directed to send petitioner a copy of the <i>in forma pauperis</i> form    |                               |        |
| 28                 | used by this district.  |                               |        |
|                    |   | 1                             |        |

| 1      | IT IS SO ORDERED.                                    |
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| 3      | Dated: January 6, 2025                               |
| 4      | JERÉMY D. PÉTERSON<br>UNITED STATES MAGISTRATE JUDGE |
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