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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EUGENE CREMER,

Petitioner,

vs.

JAMES D. HARTLEY,

Respondent.

) No. C 11-4987 JSW (PR)

) **ORDER TO FILE SIGNED AMENDED**
) **PETITION; GRANTING LEAVE TO**
) **PROCEED IN FORMA PAUPERIS**

_____)
Petitioner, a California state prisoner, filed this pro se habeas corpus petition pursuant to 28 U.S.C. § 2254. His request for leave to proceed in forma pauperis (docket number 2) is GRANTED.

Petitioner has not signed the either the form petition or the supplemental brief attached to the petition. Pursuant to Rule 11, every pleading, written motion, or other paper filed in an action shall be signed by the party's attorney or, "if the party is not represented by an attorney, shall be signed by the party." Fed. R. Civ. P. 11(a). An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the party. *Ibid.*

Accordingly, this action is DISMISSED with leave to file a signed amended petition within **thirty (30) days** of the date this order is filed. The amended petition must include the caption and civil case number used in this order (No. C 11-4987 JSW (PR))

1 and the words FIRST AMENDED PETITION on the first page.

2 **Petitioner must include in the amended petition all the claims he wishes to**
3 **present, and he may not incorporate material from prior petitions by reference.**
4 **Failure to file a signed, amended petition in conformity with this order shall result in**
5 **the dismissal of this action without prejudice.**

6 IT IS SO ORDERED.

7
8 DATED: November 2, 2011

9 
10 _____
11 JEFFREY S. WHITE
12 United States District Judge
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 EUGENE CREMER,
6 Plaintiff,
7

Case Number: CV11-04987 JSW

CERTIFICATE OF SERVICE

8 v.


9 JAMES D. HARTLEY et al,
10 Defendant.
_____ /

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on November 2, 2011, I SERVED a true and correct copy(ies) of the attached, by placing
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
16 delivery receptacle located in the Clerk's office.

17 Eugene Cremer
18 P-58826
19 P.O. Box 5002
20 Calipatria, CA 92233

Dated: November 2, 2011


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk