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

ANTHONY CLARK GORE,
Petitioner,

v.

ROBERT HOREL, Warden,
Respondent.

No. C 08-04365 CW (PR)

Ninth Circuit Case No. 11-17705

ORDER GRANTING EXTENSION OF TIME
TO FILE APPLICATION TO PROCEED
IN FORMA PAUPERIS ON APPEAL;
DENYING AS MOOT REQUEST FOR
EXTENSION OF TIME TO FILE NOTICE
OF APPEAL

(Docket nos. 15 & 16)

Petitioner filed the present pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging the constitutional validity of his state conviction. Petitioner paid the \$5.00 filing fee.

On August 15, 2011, the Court denied the petition on the merits and granted a certificate of appealability. Subsequently, Petitioner filed a notice of appeal and was informed by the Ninth Circuit that he either must pay the filing fee or submit a completed application for leave to proceed in forma pauperis (IFP) to the district court. Petitioner now seeks an extension of time in which to file his IFP application.

1 Good cause appearing, Petitioner's request is GRANTED.
2 Petitioner shall file his IFP application no later than thirty (30)
3 days from the date of this Order.

4 Petitioner's request to reopen the time to file his notice of
5 appeal is DENIED as moot because Petitioner's appeal has been
6 assigned a case number and is pending in the Ninth Circuit.

7 The Clerk of the Court shall provide a copy of this Order to
8 the Ninth Circuit.

9 This Order terminates Docket nos. 15 and 16.

10 IT IS SO ORDERED.

11 Dated: 12/01/2011



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5
6 ANTHONY C. GORE,
7 Plaintiff,

Case Number: CV08-04365 CW

CERTIFICATE OF SERVICE

8 v.

9 ROBERT A. HOREL et al,
10 Defendant.
11 _____/

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

14 That on December 1, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
16 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
17 located in the Clerk's office.

18 Anthony Clark Gore F-01081
19 B8-220
20 California State Prison - Sacramento
21 P.O. Box 290066
22 Represa, CA 95671

23 Clerk's Office
24 U.S. Court of Appeal
25 95 Seventh Street
26 San Francisco, CA 94103-1526

27 Dated: December 1, 2011

28 Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk