

United States District Court
For the Northern District of California

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

JOSE LUIS RICO,

No. C 08-05338 SBA (PR)

Petitioner,

**ORDER REGARDING IN FORMA
PAUPERIS MOTION**

v.

JOHN DOE, et al.,

Respondents.


Petitioner has filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner filed an in forma pauperis (hereinafter "IFP") application; however, he did not file copies of the Certificate of Funds and prisoner trust account statement.

The Court cannot conduct an initial review of this matter until Petitioner has either paid the filing fee or filed a completed IFP application with the requisite documents. See 28 U.S.C. § 1915(a) (a party is permitted to file a civil action in federal court without prepayment of fees or security if he makes an affidavit that he is unable to pay such fees or give security therefor).

Accordingly, Petitioner shall pay the requisite \$5.00 filing fee in this action no later than **thirty (30) days** from the date of this Order. He shall include with his payment a clear indication that it is for the above-referenced case number, C 08-05338 SBA (PR). In the event that Petitioner is unable to pay the filing fee, he shall submit the trust account statement and certificate of funds no later than **thirty (30) days** from the date of this Order. Failure to pay the filing fee or file the requisite documents within the thirty-day deadline shall result in dismissal of this action.

IT IS SO ORDERED.

DATED: 1/21/09


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOSE LUIS RICO,
Plaintiff,
v.
/ et al,
Defendant.

Case Number: CV08-05338 SBA
CERTIFICATE OF SERVICE

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

That on January 21, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jose Luis Rico G01731
California Medical Facility
P.O. Box 2000
Vacaville, CA 95696-2000

Dated: January 21, 2009

Richard W. Wiekling, Clerk
By: LISA R CLARK, Deputy Clerk