

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

JUNIOR DOUGLAS,
Petitioner,
v.
RAUL LOPEZ, Warden,
Respondent.

No. C 11-06300 CW (PR)
ORDER DIRECTING PETITIONER TO PAY
FILING FEE OR FILE IN FORMA
PAUPERIS APPLICATION; DIRECTING
CLERK OF THE COURT TO SEND
PETITIONER IN FORMA PAUPERIS
APPLICATION FORM; DENYING MOTION
FOR APPOINTMENT OF COUNSEL

(Docket no. 2)

Petitioner, a state prisoner, filed the present pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 in the United States District Court for the Eastern District of California. On December 19, 2011, the case was transferred to the Northern District and assigned to the undersigned.

The Court cannot conduct an initial review of the petition until Petitioner either has paid the filing fee or completed an in forma pauperis (IFP) application. 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 affidavit that he is unable to pay such fees or give security therefor). As there is no documentation in the case file that indicates Petitioner has done so, the Court orders as follows:

No later than thirty (30) days from the date of this Order, Petitioner shall pay the \$5.00 filing fee and include with his payment a clear indication that it is for the above-referenced case number, C 11-06300 CW (PR). In the event that Petitioner is unable to pay the filing fee, he shall submit an IFP application, trust account statement and certificate of funds no later than thirty (30) days from the date of this Order. Failure to pay the filing

1 fee or file the requisite documents within the thirty-day deadline
2 shall result in dismissal of this action.

3 Petitioner also has filed a motion for appointment of counsel.
4 The motion is DENIED without prejudice, because it is premature for
5 the Court to consider Petitioner's request until the petition can
6 be reviewed.

7 The Clerk of the Court shall send Petitioner a blank prisoner
8 IFP application form along with his copy of this Order.

9 This Order terminates Docket no. 2.

10 IT IS SO ORDERED.

11 Dated: 1/11/2012



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE