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

In re MATTHEW L. COUNCIL,

No. C 13-00084 YGR (PR)

**ORDER REGARDING INCOMPLETE
PETITION AND IN FORMA PAUPERIS
APPLICATION**

Petitioner has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Court notes that the petition form is missing pages one through five. Therefore, Petitioner is GRANTED **twenty-eight (28) days** from the date of this Order to amend the petition to provide the missing pages. If he does not amend within that time, the petition will be dismissed for failure to comply with Federal Rule of Civil Procedure 41(b).

Moreover, Petitioner filed an *in forma pauperis* application; however, he did not file a copy of his Certificate of Funds signed by the proper prison official. 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 **twenty-eight (28) 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 13-00084 YGR (PR). In the event that Petitioner is unable to pay the filing fee, he shall submit a signed Certificate of Funds no later than **twenty-eight (28) days** from the date of this Order.

Failure to supply the missing pages of the petition, pay the filing fee, or file the requisite documents within the twenty-eight-day deadline shall result in dismissal of this action without prejudice.

IT IS SO ORDERED.

DATED: January 30, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE