Hayter v. Clark Doc. 35

United States District Court
For the Northern District of California

E-Filed 11/28/2011

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CLIFFORD HAYTER, Petitioner, v. KEN CLARK, Warden, Respondent.	Case Number 5:09-cv-00457-JF ORDER GRANTING PETITIONER'S MOTION TO PROCEED IN FORMA PAUPERIS ON APPEAL [re: dkt. entry 32]

Petitioner, a California prisoner proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which he challenged his conviction of first degree murder, second degree burglary, and assault. The petition was denied as untimely. Petitioner has filed a motion for leave to proceed *in forma pauperis* on appeal. Pursuant to Federal Rule of Appellate Procedure 24(a)(1), Petitioner's request to appeal in forma pauperis is GRANTED.

DATED: 11/28/2011

JEREMY FOGEL
United States District Judge

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