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

ROBERT JOHN STOCKTON, JR., )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 DERREL JOHN ADAMS, Warden, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

No. C 11-5562 RMW (PR)  
  
ORDER DENYING MOTION FOR  
LEAVE TO PROCEED IN FORMA  
PAUPERIS; ORDER OF DISMISSAL  
WITH LEAVE TO AMEND  
  
(Docket No. 2.)

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging the prison’s 2009 determination that petitioner was an associate gang member. Petitioner states that the decision resulted in his continued indefinite placement in the secured housing unit (“SHU”). Because petitioner has paid the filing fee, his motion for leave to proceed in forma pauperis is DENIED as moot.

**DISCUSSION**

A. Standard of Review

This Court may entertain a petition for a writ of habeas corpus “in behalf of a person in custody pursuant to the judgment of a State court only on the ground that he is in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2254(a); Rose v. Hodges, 423 U.S. 19, 21 (1975). A district court shall “award the writ or issue an order