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United States District Court  
For the Northern District of California

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

ANTHONY NICKELS,  
Petitioner,  
v.  
TERRY GONZALES, Warden,  
Respondent.

No. C 13-01863 EJD (PR)  
ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO FILE  
MOTION FOR LEAVE TO PROCEED  
*IN FORMA PAUPERIS*

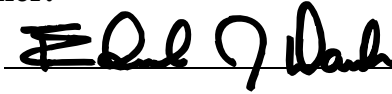
On April 28, 2013, Petitioner, a state prisoner proceeding pro se, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day, the Clerk sent a notice to Petitioner that a filing fee of \$5.00 was due or in the alternative, that Petitioner must file an In Forma Pauperis (“IFP”) Application within twenty-eight days of the notice to avoid dismissal of the action. (Docket No. 2.) On May 29, 2013, Petitioner filed a letter stating that he has been attempting to obtain his trust account data sheet but due to unknown circumstances it has not been provided to him. (Docket No. 3.)

In the interest of justice, the Court construes Petitioner’s letter as a motion for an extension of time to file an IFP Application and hereby **GRANTS** the motion.

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Petitioner must file a complete IFP Application **no later than twenty-eight (28) days** from the date this order is filed. In the alternative, Petitioner may file the \$5.00 filing fee in the same time provided.

**Failure to file a timely response in accordance with this order by filing a complete IFP application or paying the filing fee will result in the dismissal of this action without further notice to Petitioner.**

DATED: 6/11/2013 

EDWARD J. DAVILA  
United States District Judge