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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SOMCHIT J. NASIRICHAMPANG,
Petitioner,
v.
VICTOR M. ALMAGER, Warden,
Respondent.

Civil No. 07cv1129-L (AJB)

**ORDER DENYING IN FORMA
PAUPERIS APPLICATION AND
DISMISSING CASE WITHOUT
PREJUDICE**

On June 21, 2007, Petitioner, a state prisoner proceeding pro se, filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(a). On June 26, 2007, the Court denied the request to proceed in forma pauperis because Petitioner had not provided the Court with sufficient information to determine Petitioner's financial status. The denial was without prejudice to Petitioner to either paying the filing fee or submitting an application to proceed in forma pauperis which included a certificate from the warden or other appropriate officer showing the amount of money or securities Petitioner has on account in the institution. See Rule 3(a)(2), 28 U.S.C. foll. § 2254; Local Rule 3.2.

Petitioner has now filed a second Motion to Proceed In Forma Pauperis. (Doc. No. 5.) However, Petitioner has once again failed to provide the Court with the required Prison Certificate. Accordingly, the Court **DENIES** the request to proceed in forma pauperis, and

1 **DISMISSES** the case without prejudice. To have the case reopened, Petitioner must, no later
2 than **September 10, 2007**, provide the Court with: (1) a copy of this Order together with the
3 \$5.00 filing fee; or (2) a copy of this Order together with adequate proof that Petitioner cannot
4 pay the \$5.00 filing fee.

5 **IT IS SO ORDERED.**

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7 DATED: July 10, 2007

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9 M. James Lorenz
United States District Court Judge

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11 cc: ALL PARTIES
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