	Case 3:08-cv-00230-H-POR	Document 5	Filed 02/07/2008	Page 1 of 2		
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8	UNITED STATES DISTRICT COURT					
9	SOUTHERN DISTRICT OF CALIFORNIA					
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11	BEHROUZ HAFEZI,		Civil No. 08-02	230 H (POR)		
12		Petitioner,	ORDER DENYI			
13	vs.		PAUPERIS APPLICATION AND DISMISSING CASE WITHOUT			
14	MICHAEL CHERTOFF, SECF THE DEPARTMENT OF HOM		PREJUDICE	PREJUDICE		
15	SECURITY, BUREAU OF IM AND CUSTOMS ENFORCEM	MIGRATION				
16		Respondent.				
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18	Petitioner, a detainee in the custody of the Department of Homeland Security, Bureau of					
19	Immigration and Customs Enforcement, proceeding pro se, has filed a Petition for Writ of					
20	Habeas Corpus pursuant to 28 U.S.C. § 2241. Petitioner has also filed a request to proceed in					
21	forma pauperis which reflects a \$274.65 trust account balance at the facility in which he is					
22	presently confined.					
23	It appears Petitioner can afford the \$5.00 filing fee. Accordingly, the Court DENIES the					
24	request to proceed in forma pauperis, and DISMISSES the case without prejudice. To have the					
25	case reopened, Petitioner must, no later than April 7, 2008 provide the Court with: (1) a copy					
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of this Order together with the \$5.00 filing fee; or (2) a copy of this Order together with
adequate proof that Petitioner cannot pay the \$5.00 filing fee.

3	IT	IS SO ORDERE	CD.	ì
4	DATED:	February 7, 200	$8 \qquad \qquad$.10
5			MARILYN LJHUFF, Distri UNITED STATES DISTRIC	ct Judge CT COURT
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