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

DIALLO E. UHURU,

Petitioner,

v.

JOHN MARSHALL, Warden,

Respondent.

Civil No. 08-2424 IEG (LSP)

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

Petitioner, a state prisoner proceeding pro se, has not paid the \$5.00 filing fee and has 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).


The request to proceed in forma pauperis is denied because Petitioner has not provided the Court with sufficient information to determine Petitioner's financial status. A request to proceed in forma pauperis made by a state prisoner must include a certificate from the warden or other appropriate officer showing the amount of money or securities Petitioner has on account in the institution. Rule 3(a)(2), 28 U.S.C. foll. § 2254; Local Rule 3.2. Petitioner has failed to provide the Court with the required Prison Certificate.

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1           Accordingly, the Court **DENIES** the request to proceed in forma pauperis, and  
2 **DISMISSES** the case without prejudice. To have the case reopened, Petitioner must, **no later**  
3 **than March 10, 2009**, provide the Court with: (1) a copy of this Order together with the \$5.00  
4 filing fee; or (2) a copy of this Order together with adequate proof that Petitioner cannot pay the  
5 \$5.00 filing fee. **The Clerk of Court is directed to mail Petitioner a blank Application to**  
6 **Proceed In Forma Pauperis form, along with a copy of this Order.**

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8 **IT IS SO ORDERED.**

9 **DATED: January 12, 2009**

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11 **IRMA E. GONZALEZ, Chief Judge**  
12 **United States District Court**

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