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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

GARY LYNN YEATS, )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 BRIAN WILLIAMS, *et al.*, )  
 )  
 Respondents. )  
 \_\_\_\_\_ )

2:09-cv-00798- KJD-RJJ

**ORDER**

This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which petitioner, a state prisoner, is proceeding *pro se*. Petitioner has filed a motion for leave to proceed *in forma pauperis* on appeal. (ECF No. 42.)

Petitioner’s motion for leave to proceed *in forma pauperis* is not in conformity with Fed. R. App. Pro. 24 which, among other things, requires submission of detailed information related to petitioner’s financial means. *See* Fed. R. App. Pro. 24; and Form 4 in the Appendix of Forms. Therefore, the motion shall be denied without prejudice on that basis.

**IT IS THEREFORE ORDERED** that petitioner’s motion for leave to proceed *in forma pauperis* on appeal (ECF No. 42) is **DENIED without prejudice**. The Clerk shall send Form 4 (Affidavit Accompanying Motion for Permission to Appeal *In Forma Pauperis*) to petitioner.

1 Petitioner shall have **thirty (30) days** from the date of entry of this order within which to file a new  
2 motion for leave to proceed *in forma pauperis* on appeal.

3 DATED: May 25, 2011

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6 UNITED STATES DISTRICT JUDGE  
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