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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JAMES WILLIAMS,

Case No. 2:17-cv-01733-RFB-CWH

7

*Petitioner,***ORDER**

8

vs.

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COUNTY OF CLARK,

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*Respondent.*

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13 This habeas matter under 28 U.S.C. § 2254 comes before the Court on petitioner's  
14 application (ECF No. 1) to proceed *in forma pauperis* and for initial review under Rule 4 of the  
15 Rules Governing Section 2254 Cases.

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17 The Court finds based on the financial materials submitted that petitioner is unable to  
18 pay the filing fee within a reasonable time, and the pauper application therefore will be  
19 granted.

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21 Turning to initial review, under Local Rule LSR 3-1, petitioner must file his petition on  
22 the Court's required § 2254 petition form. Petitioner instead submitted a completely  
23 handwritten petition. Petitioner must use the Court's form.

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25 Further, under the instructions on page 1 of the required form, petitioner must attach  
26 a copy of all state court written decisions addressing his claims. Moreover, the Court  
27 additionally will require that petitioner attach copies of his filings presenting his claims to the  
28 state district court and state appellate courts so that the Court can assess whether the federal  
claims herein have been exhausted.

1        The Court otherwise expresses no opinion at this juncture as to, *inter alia*, whether  
2 petitioner was in custody under the challenged judgment of conviction at the time that the  
3 petition was filed, whether he has named the proper respondent with respect to any such  
4 custody, whether the claims in the petition are exhausted, and whether all of the relief sought  
5 is available via a petition for a writ of habeas corpus.

6        IT THEREFORE IS ORDERED that petitioner's application (ECF No. 1) to proceed *in*  
7 *forma pauperis* is GRANTED and that petitioner shall not be required to pay the filing fee.

8        IT FURTHER IS ORDERED that the Clerk of Court shall file the petition and that  
9 petitioner shall have sixty (60) days from entry of this order within which to file an amended  
10 petition on the Court's required form that is both signed and verified. If petitioner fails to timely  
11 do so, this action will be dismissed without further advance notice for failure to comply with  
12 the local rules and orders of the Court.

13        IT FURTHER IS ORDERED that petitioner shall attach with the amended petition  
14 copies of: (a) all state court written decisions addressing his claims; and (b) all filings  
15 presenting his claims to the state district court and state appellate courts.

16        The Clerk of Court shall send petitioner two copies a noncapital § 2254 petition form,  
17 along with one copy each of the instructions for the form and his original petition.

18        DATED: March 13, 2018.

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21        RICHARD F. BOULWARE, II  
22        United States District Judge