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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MICHAEL RAY HUGHES, )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 NEVADA DEPARTMENT OF )  
 CORRECTIONS, *et al.*, )  
 )  
 Respondents. )  
 /

3:11-cv-00355-ECR-VPC

**ORDER**

Michael Ray Hughes, a Nevada prisoner, has submitted an application to proceed *in forma pauperis* (docket #1), as well as a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254 (docket #1-1).

Petitioner’s application to proceed *in forma pauperis* (docket #1) is granted.

However, with respect to the petition, the Local Rules of Special Proceedings provide that such petition “shall be on the form supplied by the court or shall contain all of the information required in the Model Form for Use in Applications for Habeas Corpus under 28 U.S.C. § 2254.” LSR 3-1. This petition is not on the court’s form; the lack of form and lack of organization make it difficult for the court to discern whether petitioner has included all the required information. Additionally, the information that petitioner has included thus far raises concerns that he may not have exhausted his state remedies at this time. Accordingly, the Clerk shall send to petitioner a blank form for application for writ of habeas corpus. Petitioner has thirty (30) days from the date this Order is entered to file a new

1 petition on the form. Petitioner is cautioned that failure to file a new petition on the form may result in  
2 dismissal of this action without prejudice.

3 **IT IS THEREFORE ORDERED** that petitioner's application to proceed *in forma*  
4 *pauperis* (docket #1) is **GRANTED**.

5 **IT IS FURTHER ORDERED** that the Clerk shall retain but not file the petition for writ  
6 of habeas corpus (docket #1-1) at this time.

7 **IT IS FURTHER ORDERED** that the Clerk shall send to petitioner a blank petition for  
8 writ of *habeas corpus* form with instructions along with one copy of his current petition (docket #1-1).

9 **IT IS FURTHER ORDERED** that petitioner has **thirty (30) days** from the date this  
10 Order is entered to file a new petition on the form provided by the Clerk.

11 **IT IS FURTHER ORDERED** that petitioner is expressly warned that failure to file a  
12 new petition on the form may result in dismissal of this action without prejudice.

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Dated, this 6th day of June, 2011.

  
UNITED STATES DISTRICT JUDGE