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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JAMES LALL,

Petitioner,

Case No. 3:16-cv-00469-MMD-VPC

ORDER

v.

ISIDRO BACA, *et al.*,

Respondents.

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner.

Petitioner has filed a motion to proceed *in forma pauperis*. (ECF No. 1). Based on the information regarding petitioner's financial status, the motion to proceed *in forma pauperis* is granted.

On August 15, 2016, petitioner filed a motion for a stay, or in the alternative, a 120-day enlargement of time. (ECF No. 4.) In the motion, petitioner explains that he had not yet received his case file from the attorney who represented him in state post-conviction proceedings. Petitioner contends that he needs his case file to raise additional grounds for relief in an amended petition. Petitioner's motion for an extension is granted, *nunc pro tunc*.

It is therefore ordered that petitioner's motion to proceed *in forma pauperis* (ECF No. 1) is granted.

It is further ordered that petitioner's motion for an enlargement of time (ECF No. 4) is granted *nunc pro tunc*.

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It is further ordered that the Clerk of Court send petitioner the form for filing a § 2254 habeas corpus petition in this Court, together with instructions for filing the form.

It is further ordered that petitioner must file, within thirty (30) days from the date of entry of this order, an amended petition. The amended petition must be filed on the Court's approved habeas corpus form and must be entitled "First Amended Petition."

It is further ordered that if petitioner fails to file an amended petition within thirty (30) days, this action will proceed on the original petition.

DATED THIS 2nd day of March 2017.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE