

FILED IN CHAMBERS
THOMAS W. THRASH JR.
U. S. D. C. Atlanta

FEB 28 2011

IN THE UNITED STATES DISTRICT COURT ^{JAMES N. HATTEN, Clerk}
FOR THE NORTHERN DISTRICT OF GEORGIA ^{By *[Signature]* Deputy Clerk}
ATLANTA DIVISION

CHRISTOPHER NORRIS NOLAN,	:	HABEAS CORPUS
Petitioner,	:	28 U.S.C. § 2241
	:	
v.	:	
	:	
J. A. KELLER,	:	CIVIL ACTION NO.
Warden, U.S.P. Atlanta,	:	1:10-CV-3490-TWT-GGB
Respondent.	:	

ORDER and OPINION

By Order entered on February 4, 2011, this action was dismissed without prejudice based on Petitioner's failure to pay the required \$5.00 filing fee. (Doc. Nos. 7, 8.) The matter is before the Court on Petitioner's February 16, 2011, payment of the filing fee, construed as a motion to reconsider and reopen this action. (2/16/2011 Docket Entry.) Petitioner's prison account statement indicates that he directed prison officials to pay the filing fee from his prison account in November of 2010, and that the delay was beyond Petitioner's control. (See Doc. No. 6, Attach.) Accordingly, it is **ORDERED** that Petitioner's construed motion to reconsider and reopen is **GRANTED** and this action is hereby **REOPENED**.

The Clerk of Court is **DIRECTED** to resubmit this action to the assigned Magistrate Judge for further proceedings.

IT IS SO ORDERED and DIRECTED this 27 day of February, 2011.

Thomas W. Thrash
THOMAS W. THRASH, JR.
UNITED STATES DISTRICT JUDGE