

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CLARENCE WATERS, #132116,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 2:06-CV-650-MEF
	)	[WO]
	)	
	)	
KENNETH L. JONES, et al.,	)	
	)	
Respondents.	)	

**ORDER ON MOTION**

It is a rule of this court that if, after considering a prisoner’s affidavit for *in forma pauperis* treatment, it is determined that the prisoner is financially able to pay the appropriate filing fee, he must do so.

Upon consideration of the fact that the petitioner had \$57.91 in his prison account at the time he filed this petition, it is the opinion of the Magistrate Judge that the petitioner is able to pay the \$5.00 filing fee. Accordingly, it is

ORDERED that on or August 9, 2006 the petitioner shall forward to the Clerk of this Court the \$5.00 filing fee. It is further

ORDERED that except to the extent that payment is required under this order the petitioner's motion for leave to proceed *in forma pauperis* is hereby GRANTED.

The petitioner is cautioned that if he fails to comply with this order the Magistrate Judge will recommend that his petition be dismissed.

Done, this 25th day of July, 2006.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE