

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

SKYLAR MILES BOSWELL,)	
)	
Petitioner,)	
)	
v.)	Case Number: 1:15-cv-01187-LSC-JHE
)	
SHERIFF LARRY AMERSON,)	
)	
Respondent.)	

MEMORANDUM OPINION

On July 15, 2015, Petitioner Skylar Miles Boswell (“Boswell”) filed a petition for a writ of habeas corpus. (Doc. 1). Along with his petition, he included a motion for leave to proceed *in forma pauperis*, including a note stating that the bookkeeper had refused to complete his account statement form. (Doc. 2). The magistrate judge instructed him to file, within thirty days, a new application to proceed *in forma pauperis* including either a certified copy of his prison account statements or an affidavit under oath stating who he had requested the statement from, when he had requested it, and what their response was. (Doc. 3). Boswell was also advised that his filed petition was missing pages four through nine and did not include any claims; therefore, he was instructed to file an amended petition. (*Id.*). On August 13, 2015, Boswell filed a new motion for leave to proceed *in forma pauperis* and included the certified account statement. (Doc. 4). The magistrate judge denied that motion because the prison account statement showed monthly deposits averaging just over \$40. (Doc. 5).

More than thirty days has passed since either of those orders, and Boswell has not paid the filing fee or otherwise prosecuted this action. Accordingly, Boswell’s petition is due to be **DISMISSED WITHOUT PREJUDICE**. A separate order will be entered.

DONE AND ORDERED ON SEPTEMBER 24, 2015.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', written over a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

160704