

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

MICHAEL S. GORBHEY,)	
)	
Petitioner,)	
)	
v.)	Case No. 1:15-cv-01257-KOB-JHE
)	
WARDEN TAYLOR and THE)	
ATTORNEY GENERAL OF THE)	
STATE OF ALABAMA,)	
)	
Respondents.)	

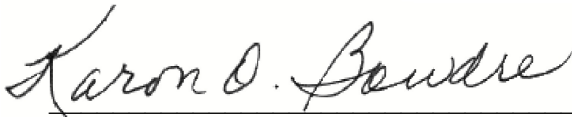
MEMORANDUM OPINION

On July 27, 2015, Petitioner Michael S. Gorbey filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. 1). Along with his petition, he included a motion for leave to proceed *in forma pauperis* with only his unsworn statement and a commissary receipt as support. (Doc. 2). The magistrate judge instructed him to file either the \$5.00 filing fee or an application to proceed *in forma pauperis* including a certified copy of his prison account statements within thirty days. (Doc. 3). Instead, Gorbey requested that the court issue “an order directing the Public Defender Services to fund [his] pro-se defences [sic].” (Doc. 4 at 5). The magistrate judge denied that motion. (Doc. 5).

More than thirty days has passed since either of those Orders, and Gorbey has not paid the filing fee or otherwise prosecuted this action. Accordingly, Gorbey’s petition is due to be **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

The court will enter a separate Order.

DONE and ORDERED this 24th day of September, 2015.



 KARON OWEN BOWDRE
 CHIEF UNITED STATES DISTRICT JUDGE