

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

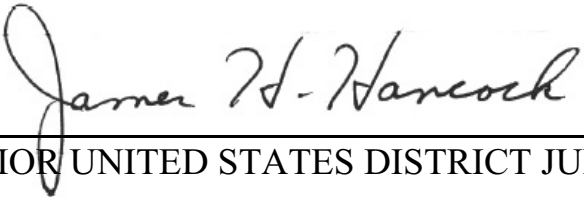
FREDRICK TATE,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO.
)	2:15-cv-1014-JHH-JEO
)	
CYNTHIA STEWART, Warden, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

On June 17, 2015, Petitioner Fredrick Tate, an Alabama State prisoner acting *pro se*, filed this habeas corpus action pursuant to 28 U.S.C. § 2254. (Doc. 1). Although the first page of the petition contains a notation in the upper right-hand corner reciting, “Fee for Filing Attached,” (Doc. 1 at 1), no payment was actually included with the petition, nor did Petitioner include an application for leave to proceed *in forma pauperis* (“IFP”). Accordingly, on August 21, 2015, the court entered an order advising Petitioner that, within 30 days, he was required either to pay the applicable five-dollar filing fee, *see* 28 U.S.C. § 1914(a), or to submit an IFP application, *see* 28 U.S.C. § 1915. (Doc. 2). That notice, which was mailed to Petitioner that same day, further advised Petitioner that if he failed to comply, this action would be subject to dismissal without further notice. (Id.)

Despite that warning, Petitioner has failed to comply with, or otherwise respond to, the court's order. Therefore, this action is due to be **DISMISSED WITHOUT PREJUDICE** for want of prosecution. A separate Final Order will be entered.

DONE this the 21st day of December, 2015.



SENIOR UNITED STATES DISTRICT JUDGE