

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DAVID LEE DANIELS

PETITIONER

v.

Civil No. 06-5191

LARRY NORRIS, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

Petitioner has submitted for filing in this district a pro se petition under 28 U.S.C. § 2254 for writ of habeas corpus. We find the petition should be provisionally filed prior to a determination regarding plaintiff's status as a pauper. The United States District Clerk is hereby directed to file the petition *nunc pro tunc* as of September 26, 2006.

This court has provided petitioner with an application for proceeding as a pauper in this matter. Accordingly, petitioner is given up to and including October 26, 2006, in which to furnish the court with an application or pay the filing fee. Should petitioner fail to comply within the required period of time, his petition will become subject to summary dismissal for failure to obey a court order.

IT IS SO ORDERED this 2nd day of October 2006.

U.S. DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FILED

OCT 04 2006

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK

Beverly Stites Jones

HON. BEVERLY STITES JONES
UNITED STATES MAGISTRATE JUDGE