

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

TORIS OLIVER,

Petitioner,

v.

CASE NO. 6:12-cv-1147-Orl-28TBS

SECRETARY, DEPARTMENT
OF CORRECTIONS , et al.,

Respondents.

ORDER

This case is before the Court on the following matters:

1. Petitioner did not pay the filing fee or submit an Affidavit of Indigency or other application to proceed in forma pauperis, as required by Local Rule 1.03(e).¹ Accordingly, Petitioner shall file an Affidavit of Indigency or other application to proceed in forma pauperis or pay the full filing fee within **TWENTY-ONE (21) DAYS** from the date of this Order.

¹Local Rule 1.03(e) states that "[t]he Clerk shall accept for filing all prisoner cases filed with or without the required filing fee or application to proceed *in forma pauperis*. However, a prisoner case will be subject to dismissal by the Court, *sua sponte*, if the filing fee is not paid or if the application is not filed within 30 days of the commencement of the action."

Petitioner is advised that the failure to comply with the dictates of this Order will result in the dismissal of this case without further notice.

2. Petitioner's Petition for Habeas Corpus Relief (Doc. No. 1) exceeds twenty-five pages in length, and it is in violation of Local Rule 3.01(a).¹ Consequently, Petitioner's habeas petition (Doc. No. 1) is hereby **STRICKEN**, and it shall be removed from the record and returned to Petitioner by the Clerk of the Court.

Within **TWENTY-ONE (21) DAYS** from the date of this Order, Petitioner shall refile his habeas petition on the appropriate habeas form, and, as to each claim, he shall set forth on the form itself a brief and concise description of the claim with supporting facts. Petitioner *should not* incorporate a memorandum of law into the habeas form, and it shall not exceed twenty-five pages (25) in length. Within the same time-frame, Petitioner may file a *separate* memorandum of law providing legal argument in support of his claims, which shall not exceed twenty-five (25) pages in length. In the memorandum of law, Petitioner may provide a more thorough description of his claims.

The Clerk of the Court is directed to provide the appropriate habeas form to Petitioner. The failure to *fully* comply with this Order will result in the dismissal of this

¹The petition was delivered to prison authorities for mailing on July 23, 2012.

action without further notice.

DONE AND ORDERED in Chambers at Orlando, Florida, this 27 day of August, 2012.



JOHNANTOON II
UNITED STATES DISTRICT JUDGE

Copies to:
OrIP-2 8/24
Toris Oliver