

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

CHRISTOPHER DOUGAN,

Petitioner,

vs.

CASE NO. 1:09CV173-MMP/AK

WALTER MCNEIL,

Respondent.

---

**ORDER**

Petitioner, an inmate proceeding *pro se*, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Doc. 1. Petitioner did not, however, file a motion for leave to proceed *in forma pauperis* or pay the filing fee. Review of Petitioner's petition will be therefore be deferred until the \$5.00 filing fee is paid or an application for leave to proceed *in forma pauperis* is submitted.

Accordingly, it is **ORDERED**:

1. The clerk of court shall forward to Petitioner an application for leave to proceed *in forma pauperis*.
2. Petitioner shall have until **September 21, 2009**, to either file an application for leave to proceed *in forma pauperis* or pay the \$5.00 filing fee.
3. **Failure to respond to this order as instructed will result in a recommendation of dismissal of this action for failure to prosecute and failure to comply with an order of this court.**

**DONE AND ORDERED** this 17th day of August, 2009.

s/A.Kornblum  
**ALLAN KORNBLUM**  
**UNITED STATES MAGISTRATE JUDGE**