

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

LANCE MURPHY,
Petitioner,

vs.

Case No.: 3:09cv78/LAC/EMT

STATE OF FLORIDA,
Respondent.

ORDER

Petitioner initiated this action on February 25, 2009, by filing a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. 1). Petitioner also filed a motion to proceed in forma pauperis, prisoner consent form, and a printout from his inmate account (*see* Docs. 7, 9).

Upon review of the motion to proceed in forma pauperis and attachments thereto, the court concludes that, although Petitioner submitted a printout from his inmate account, the printout shows the activity in his account for only January 9, 2009 to March 3, 2009 (*see* Doc. 9), instead of the required six-month period, which in this case is the period from August 24, 2008 to February 24, 2009. Moreover, although Petitioner indicates that he has been incarcerated at the Escambia County Jail for less than six (6) months, he states that he was incarcerated at the Alabama Department of Corrections during the six-month period preceding the filing of his petition, that is, from 2003 to 2009 (*see* Doc. 7 at 1–2). Therefore, Petitioner must provide an account statement from each facility at which he has been confined during the relevant six-month period of time. Failure to submit the required account statements may result in denial of leave to proceed in forma pauperis.

Accordingly, it is **ORDERED**:

1. Petitioner's motion to proceed in forma pauperis (Docs. 7) is **DENIED** without prejudice.

2. The clerk shall send Petitioner a motion to proceed in forma pauperis and a prisoner consent form and financial certificate approved for use in the Northern District.

3. Within **THIRTY (30) DAYS** from the date of docketing of this order Petitioner shall (1) pay the \$5.00 filing fee, or (2) submit a completed motion to proceed in forma pauperis with the requisite prisoner consent form and financial certificate, including an attached computer printout of the transactions in his inmate accounts during the preceding six-month period.

4. Failure to comply with this order as instructed may result in a recommendation that this case be dismissed for failure to comply with an order of the court.

DONE AND ORDERED this 19th day of March 2009.

/s/ Elizabeth M. Timothy _____

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE