

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

JAMES LONNIE BAKER, JR.,
Petitioner,

vs.

CASE NO.: 3:09cv444/LAC/MD

SECRETARY DEPARTMENT OF
CORRECTIONS,
Respondent.

ORDER

Petitioner has filed a petition for writ of habeas corpus under 28 U.S.C. § 2254. (Doc. 1). However, petitioner has neither paid the \$5.00 filing fee nor applied for leave to proceed *in forma pauperis*. Petitioner's case cannot proceed until he either pays the filing fee or files a complete application for leave to proceed *in forma pauperis*. A complete application includes a motion with supporting affidavit, a prisoner consent form and a financial certificate with account attachments (a printout of the transactions in petitioner's inmate trust account for the six-month period immediately preceding the filing of his petition).

Accordingly, it is ORDERED:

1. The Clerk shall forward to the petitioner a form application for leave to proceed *in forma pauperis*. This case number shall be written on the form.
2. Within **thirty (30) days** of the date of this order, petitioner shall either pay the \$5.00 filing fee in full, or submit a complete application for leave to proceed *in forma pauperis*. Failure to do so will result in a recommendation of dismissal of this case.

DONE AND ORDERED this 13th day of October, 2009.

/s/ *Miles Davis*

**MILES DAVIS
UNITED STATES MAGISTRATE JUDGE**