

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

DONALD D. WOOD,

Petitioner,

v.

CASE NO. 4:05-cv-00254-MP-AK

DONOVAN HAMILTON,

Respondent.

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**ORDER**

This matter is before the Court on Doc. 2, Motion for Leave to Proceed *in forma pauperis*, by Donald D. Wood. A review of Petitioner's inmate account statement reveals that he has the funds to pay the \$5.00 filing fee, in that his deposits for the last six months average more than \$25.00 per month. Further review of Petitioner's petition will be deferred until the \$5.00 filing fee is paid.

Accordingly, it is **ORDERED**:

1. Petitioner's motion to proceed *in forma pauperis*, Document 2, is **DENIED**.
2. Petitioner shall have until **September 26, 2005**, to submit the \$5.00 filing fee to the Clerk of Court.

**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 22nd day of July, 2005.

s/A. Kornblum

**ALLAN KORNBLUM**

**UNITED STATES MAGISTRATE JUDGE**