

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

VERDELL ROBINSON

Petitioner,

vs.

CASE NO. 4:09CV357-MMP/AK

WALTER MCNEIL,

Respondent.

_____ /

ORDER

This cause is before the Court on Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Doc. 1. Petitioner has not paid the filing fee or filed a motion for leave to proceed *in forma pauperis*. 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 **November 2, 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 5th day of October, 2009.

s/ A. KORNBLUM

ALLAN KORNBLUM
UNITED STATES MAGISTRATE JUDGE