

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

OSCAR DOUGLAS NELSON, JR.,  
Petitioner,

vs.

Case No. 5:09cv218/RS/EMT

WALTER McNEIL,  
Respondent.

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**ORDER**

Petitioner has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, as well as a motion to proceed in forma pauperis (Docs. 1, 2).

Petitioner failed to provide the requisite supporting documentation for his motion to proceed in forma pauperis, specifically, a prisoner consent form and financial certificate with an attached certified copy of his trust fund account statement. Therefore, the motion will be denied without prejudice to Petitioner's refiling a complete motion with the required supporting documentation.

Accordingly, it is **ORDERED**:

1. Petitioner's motion to proceed in forma pauperis (Doc. 2) 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, signed financial certificate, including an attached computer printout of the transactions in his prison account.

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 1<sup>st</sup> day of July 2009.

*/s/ Elizabeth M. Timothy*

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**ELIZABETH M. TIMOTHY**

**UNITED STATES MAGISTRATE JUDGE**