

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

JACK MARSHALL PORTER,

Petitioner,

v.

CASE NO. 5:12-cv-354-RS-GRJ

UNITED STATES OF AMERICA,

Respondent.

_____ /

ORDER

This matter is before the Court on Doc. 1, a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner has neither paid the \$5.00 filing fee nor filed a motion for leave to proceed as a pauper. Additionally, Petitioner did not file his petition on the court's form for use in petitions under § 2241. Accordingly, Petitioner must file an amended petition on the correct form and further consideration of the petition will be deferred until payment is received or Petitioner is granted leave to proceed as a pauper.

Accordingly, it is

ORDERED AND ADJUDGED:

1. That the Clerk shall send Petitioner a blank 28 U.S.C § 2241 petition form and an application for leave to proceed as a pauper.
2. That Petitioner shall have until **November 26, 2012**, to either file an application for leave to proceed as a pauper or to pay the \$5.00 filing fee;
3. That Petitioner shall have until **November 26, 2012**, to file his amended petition on the proper forms, along with two identical service copies;
4. **That failure to comply with this order as instructed, or to show cause as to why Petitioner is unable to comply, may result in the dismissal of this**

case for failure to prosecute and failure to comply with an order of this court.

DONE AND ORDERED this 25th day of October 2012.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge