

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

DAVID SUTHERLAND,)	
)	
Petitioner,)	
)	
v.)	Case No. CV411-107
)	
STATE OF GEORGIA;)	
GEORGIA DEPARTMENT OF)	
PARDONS AND PAROLES,)	
)	
Respondents)	

ORDER

David Sutherland has filed a 28 U.S.C. § 2254 habeas petition. Doc.

1. He also moves for leave to file it *in forma pauperis* (IFP). However, his petition is not on the standard form prescribed by Rule 2(d) of the Rules Governing Section 2254 Cases In the United States District Courts. That Rule states that “[t]he petition must substantially follow either the form appended to these rules or a form prescribed by a local district-court rule. The clerk must make forms available to petitioners without charge.” *Id.*

The Court therefore **DIRECTS** Sutherland to resubmit his petition using this Court's Rule 2(d), § 2254 form, within 21 days of the date of this Order is served. The Clerk is **DIRECTED** to include the standard Rule 2(d), § 2254 form with his service copy of this Order. Sutherland is advised that his petition faces dismissal outright should he fail to comply with this Order within 21 days after the date of its service. After he complies, the Court will consider his IFP motion.

SO ORDERED this 25th day of May, 2011.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT of GEORGIA