

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
PEORIA DIVISION**

CHARLES DONELSON, )  
)  
Petitioner, )  
)  
v. )  
)  
RICHARD HARRINGTON, )  
)  
Respondent. )

Case No. 13-cv-1523

**ORDER & OPINION**

On October 21, 2013, Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 1). Petitioner subsequently filed a Motion for Leave to Proceed in forma pauperis, which was denied because Petitioner had ample funds from which to pay the five dollar filing fee. (Doc. 5). The initial deadline set by the Court for paying that filing fee was December 23, 2013. Since that time, almost two months later, Petitioner has been given multiple extensions, but has still failed to pay the required filing fee. He has been repeatedly warned that his case would be dismissed if he did not pay the fee. (*E.g.*, Text Order, Dec. 23, 2013).

Further, because Petitioner has been transferred to different institutions during this time period, whenever the Court was informed of a transfer by the Illinois Department of Corrections, Petitioner was given time to notify the Court of his change of address, as stated in an order that was sent to the new institution as a courtesy to Petitioner. (*E.g.*, Text Order, Dec. 2, 2013). Petitioner has failed to file

any change of address with the Court, despite his obligation to do so. He was warned that failing to file a notice of change of address would result in dismissal of his case. (Text Order, Dec. 2, 2013).

Accordingly, Petitioner's case will be dismissed for failure to prosecute. Despite multiple orders and warnings of the consequences, Petitioner did not pay his filing fee or send any change of address notification to the Court. IT IS THEREFORE ORDERED that this case is DISMISSED WITH PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. CASE TERMINATED.

Entered this 14th day of February, 2014.

s/ Joe B. McDade  
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JOE BILLY McDADE  
United States Senior District Judge