

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CHRISTOPHER J. HOWARD, Inmate)	
#B-86767,)	
)	
Petitioner,)	
)	CIVIL NO. 11-cv-244-DRH-SCW
vs.)	
)	
DONALD A. HULICK,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

This action is before the Court for the purpose of docket control. Petitioner filed his petition for writ of habeas corpus in this Court on March 30, 2011 (Doc. 1). That same date, a letter was sent from the Clerk’s office to petitioner notifying him that his case had been opened without payment of the filing fee or the filing of a motion and affidavit to proceed in district court without prepaying fees or costs (Doc. 2). Petitioner was also notified in that same letter that if he did not pay the \$5.00 habeas filing fee or file a motion and affidavit to proceed in district court without prepaying fees or costs within 30 days from the date of the letter (on or before April 29, 2011), that the case would be submitted to the presiding judge for an order to be entered dismissing the case. *Id.* This date has long since passed and petitioner has not tendered the filing fee in full to this Court nor has he filed a motion and affidavit to proceed in district court without prepaying fees or costs.

As a result, **IT IS HEREBY ORDERED AND ADJUDGED** that this action is

DISMISSED without prejudice for failure to pay the filing fee. The Clerk is
DIRECTED to close this case.

IT IS SO ORDERED.

DATED: July 21, 2011

David R. Herndon
Digitally signed by
David R. Herndon
Date: 2011.07.21
11:25:38 -05'00'



**Chief Judge
United States District Court**