

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

**REGINALD SMITH,**

**Petitioner,**

**vs.**

**Case No. 18-cv-1141-DRH**

**T.G. WERLICH,**

**Respondent.**

**NOTICE OF IMPENDING DISMISSAL**

**HERNDON, District Judge:**

Petitioner Reginald Smith filed this action challenging his sentence under 28 U.S.C. § 2241, requesting that the Court re-sentence him or in the alternative, vacate his sentence in light of the holding of *Mathis v. United States*, 136 S.Ct. 2243 (U.S. 2016). (Doc. 1).

On May 21, 2018, this case was opened in the Southern District of Illinois without payment of a filing fee. Petitioner filed a motion for leave to proceed in forma pauperis, (Doc. 2), but his motion was denied on June 12, 2018. (Doc. 5). Petitioner was given 30 days to pay the \$5 filing fee. (Doc. 5).

To date, Petitioner has not paid the \$5.00 filing fee for the action. The Court cannot allow this matter to linger indefinitely. The deadline set in Document 5 remains in effect.

Petitioner is hereby **ORDERED** to provide the Court with a filing fee of \$5.00 on or before **August 15, 2018**, 30 days from the date this Order is entered.

Petitioner is again **ADVISED** of his continuing obligation to keep the Clerk and each opposing party informed of any change in his address. The Court will not independently investigate Petitioner's whereabouts. This shall be done in writing and not later than 7 days after a transfer or other change in address occurs.

**Failure to comply with this Order shall result in dismissal of this action for want of prosecution and/or for failure to comply with a court order under Federal Rule of Civil Procedure 41(b).**

**IT IS SO ORDERED.**

*David Herndon*



**Judge Herndon**

**2018.07.16**

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**United States District Judge**