

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION AT LEXINGTON

ROBERT C. CAMPBELL,

Petitioner,

v.

DEBORAH A. HICKEY,

Respondent.

Civil Action No. 11-403-KSF

**MEMORANDUM OPINION
AND ORDER**

**** * * * * *

Petitioner Robert C. Campbell has filed a Notice of Appeal [R. 7] but has not paid the \$455 appellate filing fee or filed a motion to waive payment of the fee. Campbell must take one of these steps within thirty days, or the Sixth Circuit may dismiss the appeal for failure to prosecute. The Clerk of the Court will provide him with the appropriate forms.

Accordingly, **IT IS ORDERED** that:

1. The Clerk of the Court shall mark the assigned case number on (1) an Affidavit of Assets / In Forma Pauperis Application [Form AO-240] and (2) a Certificate of Inmate Account [EDKY Form 523] and forward them to Campbell.
2. Within 30 days, Campbell must either:
 - A. Pay the \$455 appellate filing fee to the Clerk of the Court; or
 - B. Complete both (1) the Affidavit of Assets/In Forma Pauperis Application [Form AO-240]; and (2) the Certificate of Inmate Account [EDKY Form 523], which must be certified by prison staff, and file these documents with the Court.

3. The Sixth Circuit will dismiss the appeal for failure to prosecute if Campbell does not take one of these steps within 30 days. *Perotti v. Wilkinson*, 90 F. App'x 884, 886 (6th Cir. 2004).

4. The Clerk of the Court shall forward a copy of this Order to the Clerk of the Court of Appeals for the Sixth Circuit.

This the 31st day of January, 2012.



Signed By:

Karl S. Forester K S F

United States Senior Judge