

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

| | | |
|-----------------------------------------|---|------------------|
| ADRIAN M. JONES, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | No. 2:17CV69 HEA |
| |) | |
| KEVIN COATES, |) | |
| Jail Administrator, Marion County Jail, |) | |
| |) | |
| Respondent. |) | |

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on review of petitioner’s pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241. The petition is defective because petitioner did not sign it under penalty of perjury. Rather, petitioner typed his name onto the form. Local Rule 2.01(A)(1) of the United States District Court for the Eastern District of Missouri requires all filings to contain the signature of the party. Additionally, the administrative procedures for Case Management/Electronic Case Filing (“CM/ECF”) ¶ II.H. requires typewritten signatures to use the format “/s/” before the filing party’s typewritten name. See CM/ECF Administrative Procedure ¶ II.H. Because petitioner is proceeding pro se, the Court will direct the Clerk of Court to return the petition to petitioner so that he can sign it.

Additionally, petitioner must either pay the five dollar filing fee or file a motion to proceed in forma pauperis. See 28 U.S.C. § 1915(a).

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court is directed to return the petition to petitioner so that he can sign it.

IT IS FURTHER ORDERED that petitioner must return the signed petition within twenty-one (21) days from the date of this Order.

IT IS FURTHER ORDERED that the Clerk of Court is directed to mail to petitioner a copy of the motion to proceed in forma pauperis form for prisoners.

IT IS FURTHER ORDERED that petitioner must either pay the \$5 filing fee **or** submit a motion to proceed in forma pauperis within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED that if petitioner files a motion to proceed in forma pauperis, he must also file a certified copy of his prison account statement for the six-month period preceding the filing of the petition.

IT IS FURTHER ORDERED that if petitioner fails to comply with this Order, the Court will dismiss this action without prejudice. If the case is dismissed for non-compliance with this Order, the dismissal will **not** count as a “strike” under 28 U.S.C. § 1915(g).

Dated this 16th day of October, 2017



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE