

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CHARLES EDWARD ROTHMAN

Petitioner,

vs.

JEAN ANN JOHNSON,

Respondent.

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Case No. 4:12-CV-1674-DDN

MEMORANDUM AND ORDER

This matter is before the Court upon the filing of petitioner's petition for writ of habeas corpus under 28 U.S.C. § 2254 [Doc. #1].

The Court notes that the petition fails to set forth petitioner's grounds for relief and does not bear petitioner's signature.¹ Accordingly, the Court will order petitioner to file an amended petition on a court-provided form, setting forth his grounds for relief and duly signing the petition. In addition, the Court will grant petitioner additional time in which to comply with the Court's Order of September 24, 2012 [Doc. #3].²

Therefore,

IT IS HEREBY ORDERED that the Clerk of Court shall forward to petitioner the court-provided form for filing a "Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody" (AO Form 241), as well as a copy of the Court's form "Motion to Proceed In Forma Pauperis and Affidavit in Support - Habeas Cases."

¹The petition is signed by "inmate counsel"; however, the petition must be signed by petitioner or a licensed attorney on petitioner's behalf.

²The Court ordered petitioner to either pay the \$5 filing fee or to file a motion to proceed in forma pauperis and a financial affidavit within thirty days.

IT IS FURTHER ORDERED that, on or before November 26, 2012, petitioner shall either pay the \$5 filing fee or complete and submit the form "Motion to Proceed In Forma Pauperis and Affidavit in Support - Habeas Cases."

IT IS FURTHER ORDERED that, on or before November 26, 2012, petitioner shall file an amended petition in accordance with the Court's instructions above.

IT IS FURTHER ORDERED that if petitioner fails to comply with this Order, the Court may dismiss this action without prejudice and without further notice to petitioner.

/S/ David D. Noce
UNITED STATES MAGISTRATE JUDGE

Signed on October 26, 2012.