

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

ANTONIO NATHANIEL SPEED-BEY,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:16-CV-544-ERW
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on review of petitioner’s petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 [Doc. 1] and supplement [Doc. 3]. Petitioner has neither paid the \$5 filing fee, nor has he submitted a motion for leave to proceed in forma pauperis. Furthermore, the petition was not drafted on a Court form, and it is unclear what petitioner’s claims are, and if applicable, whether he exhausted his administrative remedies prior to filing this action. Exhaustion of available remedies is a prerequisite to filing a habeas action in this Court. *See e.g., United States v. Chappel*, 208 F.3d 1069, 1069 (8th Cir. 2000). For these reasons, the Court will instruct petitioner to rectify his filing fee status and to file an amended petition on a Court-provided form.

Therefore,

**IT IS HEREBY ORDERED** that the Clerk of Court shall forward to petitioner the Court-provided form for filing a federal "Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241."

**IT IS FURTHER ORDERED** that petitioner shall complete this form in its entirety and return it to the Court within thirty (30) days from the date of this Order.

**IT IS FURTHER ORDERED** that petitioner shall either pay the \$5 filing fee or file a motion for leave to proceed in forma pauperis.

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

**IT IS FURTHER ORDERED** that the Clerk of Court shall docket this case as *Antonio Nathaniel Speed-Bey v. United States of America*.

**IT IS FURTHER ORDERED** petitioner's motion to correct a clerical error is **DENIED** [Doc. 2] as moot.

Dated this 13th day of June, 2016.



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**UNITED STATES DISTRICT JUDGE**