

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DOUGLAS DAYTON,)
)
Petitioner,)
)
v.) No. 4:17-CV-773 PLC
)
STATE OF MISSOURI, et al.,)
)
Respondents.)

MEMORANDUM AND ORDER

This matter is before the Court on petitioner's pro se application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition is defective because petitioner did not use the Court's form, *see* Local Rule 2.06(A), and because petitioner did not pay the \$5 filing fee or file a motion for leave to proceed in forma pauperis.

Accordingly,

IT IS HEREBY ORDERED that the Clerk is directed to send petitioner both a motion for leave to proceed in forma pauperis form and a § 2254 form.

IT IS FURTHER ORDERED that, no later than twenty-eight (28) days from this Order, petitioner must either pay the \$5 filing fee or file a motion for leave to proceed in forma pauperis.

IT IS FURTHER ORDERED that petitioner must fill out the § 2254 form and return it to the Court within twenty-eight (28) days of the date of this Order. If petitioner fails to comply with this Order, the Court may dismiss this action without further proceedings.

Dated this 6th day of March, 2017.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE