

## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF NEBRASKA

ARTHUR SOBEY,	)	
	)	
Petitioner,	)	4:10CV3146
	)	
v.	)	
	)	
ROBERT HOUSTON,	)	ORDER
	)	
Respondent.	)	
	)	

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Petitioner has filed a petition for writ of habeas corpus under [28 U.S.C. § 2254](#) (Filing No. [1](#)), a motion for leave to proceed in forma pauperis (Filing No. [2](#)), and a copy of his prisoner trust account statement (Filing No. [4](#)).

Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering petitioner's financial status as shown in the records of this Court, provisional leave to proceed in forma pauperis will be granted, but petitioner must nevertheless pay the \$5.00 fee within 60 days. The Court cautions petitioner that failure to adequately comply with this order may result in dismissal of his petition without further notice. Accordingly,

IT IS ORDERED:

1. The application to proceed in forma pauperis (Filing No. 2) is provisionally granted, but petitioner must pay the \$5.00 filing fee by October 4, 2010.

2. The clerk of the court is directed to set a pro se case management deadline in this case with the following text:

October 4, 2010: deadline for payment of \$5.00 filing fee.

DATED this 19th day of August, 2010.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court

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