

In addition, Petitioner failed to submit the \$455.00 appellate filing fee or a motion to proceed in forma pauperis (“IFP”). (See Docket Sheet.) Because the court is providing Petitioner with the opportunity to show excusable neglect or good cause for failing to file a timely notice of appeal, the court will also provide Petitioner until January 10, 2013, to submit the \$455.00 appellate filing fee, or a motion to proceed IFP. If Petitioner fails to submit the appellate filing fee or a motion to proceed IFP, Petitioner’s appeal will not be processed.

IT IS THEREFORE ORDERED that:

1. Petitioner shall have until January 10, 2013, to submit an affidavit to show excusable neglect or good cause for failing to file a timely notice of appeal. If Petitioner fails to submit such an affidavit by January 10, 2013, Petitioner’s appeal will not be processed;
2. Petitioner shall have until January 10, 2013, to submit either the \$455.00 appellate filing fee or a motion to proceed IFP, with the required affidavit. If Petitioner fails to submit the fee or a motion and affidavit, Petitioner’s appeal will not be processed; and
3. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: Check for affidavit and filing fee on January 10, 2013.

DATED this 13th day of December, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge

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