

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HERBERT LEE CAMPBELL,)
)
Petitioner,)
)
v.)
)
STATE OF NEBRASKA, County of)
Nebraska, City of Nebraska,)
)
Respondent.)

4:12CV3174

**MEMORANDUM
AND ORDER ON APPLICATION FOR
LEAVE TO PROCEED IN FORMA
PAUPERIS AND DECLARATION IN
SUPPORT THEREOF**

The petitioner, Herbert Lee Campbell, has filed a document called a “Petition for Writ of Mandamus,” construed as a Petition for Writ of Habeas Corpus under [28 U.S.C. § 2254](#) (filing no. [1](#)), an Application for Leave to Proceed In Forma Pauperis and Declaration in Support Thereof (filing no. [2](#)), and a copy of his institutional trust account statement (filing no. [3](#)).

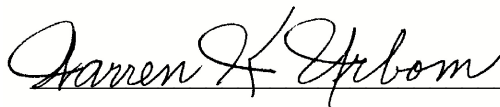
Habeas corpus cases attacking the legality of a person’s confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering Campbell’s financial status as shown in the records of this court, provisional leave to proceed in forma pauperis will be granted and Campbell is relieved from paying the fee at this time.

IT IS THEREFORE ORDERED that:

The Application for Leave to Proceed In Forma Pauperis (filing no. [2](#)) is provisionally granted and Campbell will not be required to pay the \$5.00 fee at this time.

Dated September 19, 2012.

BY THE COURT



Warren K. Urbom
United States Senior District Judge

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