

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MICHALE M. DIXON,

4:13CV3204

Petitioner,

v.

**MEMORANDUM
AND ORDER**

NEBRASKA CORRECTIONAL FOR
WOMEN,

Respondent.

Petitioner has filed a Petition for Writ of Habeas Corpus under [28 U.S.C. § 2254](#) (Filing No. [1](#)), and a Motion for Leave to Proceed in Forma Pauperis (Filing No. [7](#)). 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 and Petitioner is relieved from paying the fee at this time.

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis (Filing No. [7](#)) is granted. Petitioner is reminded that, pursuant to the court's Memorandum and Order dated December 16, 2013, she has until January 13, 2014, to file an amended petition for writ of habeas corpus naming the current warden of Petitioner's place of confinement as the respondent. In the alternative, Plaintiff may file a motion to substitute party in which she asks the court to substitute the current warden of her present place of confinement as the respondent.

DATED this 6th day of January, 2014.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge

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