

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

RICHARD RAYES,)
)
Petitioner,)
)
v.)
)
DIANE SABATKA-RINE, Warden,)
NEBRASKA STATE PENITENTIARY,)
MICHAEL KENNEY, Director, and)
NEBRASKA DEPARTMENT OF)
CORRECTIONAL SERVICES,)
)
Respondents.)

CASE NO. 4:14CV3158

**MEMORANDUM
AND ORDER**

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. 2). 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. Accordingly,

IT IS ORDERED: Petitioner’s Motion for Leave to Proceed in Forma Pauperis (Filing No. 2) is granted.

DATED this 11th day of August, 2014.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge