

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

**MARCO E. TORRES, JR.,**

**Plaintiff,**

**v.**

**SCOTT FRAKES, Director, Nebraska  
Department of Correctional Services,**

**Defendant.**

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**4:17CV3078**

**MEMORANDUM AND  
ORDER**

Petitioner filed a Petition for Writ of Habeas Corpus (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 filing fee. 28 U.S.C. § 1914(a). However, after considering Petitioner's financial status as shown in the records of this court (see inmate trust account statement at Filing No. 2-1), leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. See 28 U.S.C. § 1915(a)(1).

**IT IS THEREFORE ORDERED that:**

Petitioner's Motion for Leave to Proceed in Forma Pauperis (Filing No. 2) is granted.

**DATED: June 23, 2017.**

**BY THE COURT:**

**s/ F.A. Gossett, III  
United States Magistrate Judge**