

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BONG H. CHAE,	)	
	)	
Petitioner,	)	8:09CV416
	)	
v.	)	
	)	
ROBERT HOUSTON, Director of	)	ORDER
Department of Correctional	)	
Services,	)	
	)	
Respondent.	)	
_____	)	

Petitioner has filed a petition for writ of habeas corpus under [28 U.S.C. § 2254](#) (Filing No. [1](#)), a motion for leave to proceed in forma pauperis (Filing No. [2](#)), and a copy of his prisoner 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 petitioner's financial status as shown in the records of this Court, provisional leave to proceed in forma pauperis will be granted, but petitioner must nevertheless pay the \$5.00 fee within 60 days. The Court cautions petitioner that failure to adequately comply with this order may result in dismissal of his petition without further notice.

IT IS ORDERED that the application to proceed in forma pauperis (Filing No. [2](#)) is provisionally granted, but petitioner must pay the \$5.00 filing fee by January 20, 2010.

DATED this 24th day of November, 2009.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court