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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KEITH MCDOUGALD, Petitioner, V. ROBERT P. HOUSTON, Director, and FRED BRITTEN, Warden, et al., Respondents.	))))))))))	8:13CV00151 **MEMORANDUM AND ORDER**

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 institutional trust account statement (filing no. 5).

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: The Motion for Leave to Proceed in Forma Pauperis (filing no. 2) is provisionally granted and Petitioner will not be required to pay the $5.00 fee at this time.

DATED this 31st day of May, 2013.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge

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