

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

**JASON DAVIS,**

**Petitioner,**

**v.**

**BRIAN GAGE, Warden, Tecumseh  
State Correctional Institute, and  
MIKE KENNEY, Director, Nebraska  
Department of Corrections,**

**Respondents.**

**CASE NO. 8:14CV265**

**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.

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

DATED this 12<sup>th</sup> day of September, 2014.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge