Huggins v. The State of Nebraska et al Doc. 7

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

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| KEITH M. HUGGINS,<br><br>Petitioner,<br><br>v.<br><br>THE STATE OF NEBRASKA, and SCOTT FRAKES, Dirctor of the Nebraska Department of Corrections,<br><br>Respondents. | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | 8:15CV345<br><br><br>**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. 6), provisional leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee at this time. *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. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The court will conduct this review in its normal course of business.

DATED this 6th day of October, 2015.

BY THE COURT:

*Richard G. Kopf*
Senior United States District Judge

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