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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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DEMAR RAHYMES BARNES,
Petitioner,
vs.
D.W. NEVEN, *et al.*,
Respondents.

Case No. 2:14-cv-01946-RFB-PAL
ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner. Petitioner has submitted a motion for leave to proceed *in forma pauperis* and a petition for a writ of habeas corpus. Based on the information regarding petitioner's financial status, the motion to proceed *in forma pauperis* is denied. Petitioner must pay the \$5.00 filing fee for habeas corpus actions. 28 U.S.C. § 1914(a). Petitioner shall be given an opportunity to pay the fee in this action.

IT IS THEREFORE ORDERED that the motion for leave to proceed *in forma pauperis* (ECF No. 1) is **DENIED**. Petitioner shall have **thirty (30) days** from the date this order is entered in which to have the \$5.00 filing fee sent to the Clerk. Failure to do so may result in the dismissal of this action.

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IT IS FURTHER ORDERED that the Clerk **SHALL SEND** petitioner two copies of this order. Petitioner is ordered to make the necessary arrangements to have one copy of this order attached to the check in the amount of the \$5.00 filing fee.

IT IS FURTHER ORDERED that the Clerk shall **RETAIN** the petition but not file it at this time.

DATED this 20th day of January, 2015.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE