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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Leonard Morgan Hairston,  
Petitioner  
v.  
Sheriff Joe Lombardo, et al.,  
Respondents

**2:16-cv-01645-JAD-GWF**

**Order Denying Application to Proceed  
*in forma pauperis* and Dismissing and  
Closing Case**

[ECF No. 1]

10 Leonard Morgan Hairston, who is representing himself pro se from the Clark County  
11 Detention Center, has submitted a motion to proceed *in forma pauperis* and a § 2254 petition. I deny  
12 Hairston's IFP application because it is not presented on the proper form and is incomplete. Having  
13 reviewed Hairston's § 2254 petition, I deny it without prejudice because it is illegible, and I direct  
14 the Clerk of Court to close this case.

15 If Hairston wishes to file a habeas petition in this court, he must initiate a new action by filing  
16 a legible petition on the correct form and he must pay the \$5 filing fee or file a completed application  
17 to proceed *in forma pauperis* on this court's approved form. Any further filings in this closed case  
18 will be summarily denied.

19 **Conclusion**

20 Accordingly, IT IS HEREBY ORDERED that **Hairston's application to proceed *in forma***  
21 ***pauperis* [ECF No. 1] is DENIED, this action is DISMISSED without prejudice, and I decline**  
22 **to issue a certificate of appealability.**

23 IT IS FURTHER ORDERED that the Clerk of Court is instructed to send Hairston a copy of  
24 this order, two copies of this court's approved form for filing § 2254 petitions, and two copies of this  
25 court's approved application to proceed *in forma pauperis* for prisoners with instructions and to  
26 CLOSE THIS CASE.

27 Dated this 5th day of August, 2016.

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Jennifer A. Dorsey  
United States District Judge