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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Jeffrey Lynn Franklin,
Petitioner

Case No.: 2:18-cv-00444-JAD-NJK

Order

v.

Jerry Howell, et al.,
Respondents

Pro se petitioner and adjudicated habitual criminal Jeffrey Lynn Franklin is serving a 10-year sentence at the Three Lakes Valley Conservation Camp.¹ He petitions for a writ of habeas corpus under 28 U.S.C. § 2254 and argues that he was denied effective assistance of appellate counsel.² Franklin failed to pay the \$5.00 filing fee or apply for leave to proceed *in forma pauperis* when he initiated this action, so I gave him one month to do one of those things.³ I also informed Franklin that, if he chose to file a pauper application, the application must be complete and include “a signed financial certificate and a statement of his inmate account for the last six months.”⁴ Franklin has since filed a pauper application, but it is on the wrong form and lacks the financial documents that I told him to include.⁵ Nevertheless, I will give Franklin one last chance to file a fully complete pauper application or pay the \$5.00 filing fee.

Accordingly, IT IS HEREBY ORDERED that Franklin’s application for leave to proceed *in forma pauperis* [ECF No. 6] is **DENIED without prejudice**.

IT IS FURTHER ORDERED that Franklin **has until June 11, 2018, to either: (a) file a FULLY COMPLETE application for leave to proceed *in forma pauperis* that INCLUDES a**

¹ ECF No. 1-1 at 2; NEV. DEP’T OF CORR. (May 9, 2018) <http://doc.nv.gov/Inmates/Home/> (inmate search by name Jeffrey Franklin or offender ID 94922).

² ECF No. 1-1 at 4.

³ ECF No. 5.

⁴ *Id.*


⁵ ECF No. 6.

1 signed financial certificate and a statement of his inmate account for the last six months;
2 **OR (b) pay the \$5.00 filing fee.**

3 If Franklin fails to do either of these things by this court-ordered deadline, **his case will**
4 **be DISMISSED without further prior notice.**

5 The **Clerk of Court** is directed to **SEND to Franklin** a blank pauper application form
6 for incarcerated litigants.

7 Dated: May 14, 2018

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9 U.S. District Judge Jennifer A. Dorsey

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