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

Mack Luca,  
  
    Petitioner  
  
v.  
  
Clark County Detention Center,  
  
    Respondent

Case No.: 2:24-cv-00068-APG-EJY

**Order Directing Petitioner to File  
Application to Proceed *In Forma Pauperis*  
or Pay Filing Fee**

Mack Luca has submitted a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. ECF No. 1-1. He has not, however, either paid the \$5.00 filing fee or submitted a completed application to proceed *in forma pauperis* with the required inmate account statements for the past sixth months and financial certificate. 28 U.S.C. § 1915(a)(2); Local Rule LSR1-2.


This action therefore is subject to dismissal without prejudice as improperly commenced. However, it is unclear from the papers presented whether a dismissal without prejudice will materially affect a later analysis of any timeliness issue with respect to a new action.

I THEREFORE ORDER that within **30 days** of the date of this order petitioner must submit either the \$5.00 filing fee or a fully completed application to proceed *in forma pauperis*.

I FURTHER ORDER that failure to do so may result in the dismissal of this action without prejudice and without further notice.

I FURTHER ORDER that the Clerk of Court retain the petition but not file it at this time.

DATED this 6th day of February 5, 2024.

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE