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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DENNIS KIRK SUDBERRY,
Petitioner,
vs.
ISIDRO BACA, et al.,
Respondents.

Case No. 3:16-cv-00687-RCJ-WGC

ORDER

Petitioner has submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The court dismisses this action because petitioner did not pay the filing fee, nor did he submit an application to proceed in forma pauperis with a financial certificate and a copy of his inmate account statement, as required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2.

Reasonable jurists would not find this conclusion to be debatable or wrong, and the court will not issue a certificate of appealability.

IT IS THEREFORE ORDERED that the clerk of the court shall send petitioner a blank form for an application to proceed in forma pauperis for incarcerated litigants.

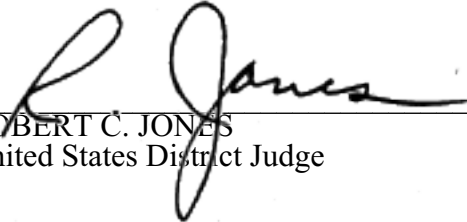
IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to petitioner’s commencement of a new action in which he either pays the filing fee in full or submits a complete application to proceed in forma pauperis, accompanied by a signed financial certificate and a statement of his inmate account. The clerk of the court shall enter judgment accordingly and close this action.

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IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

DATED: **January 24, 2017.**



ROBERT C. JONES
United States District Judge