Doc. 3 Palmer v. Filson et al 1 2 3 4 5 UNITED STATES DISTRICT COURT 6 DISTRICT OF NEVADA 7 8 9 MARKIECE PALMER, 10 Petitioner, 3:18-cv-00245-HDM-VPC 11 **ORDER** VS. 12 TIMOTHY FILSON, et al., 13 Respondents. 14 Petitioner, who is in the custody of the Nevada Department of Corrections, has submitted a 15 16 document captioned as a petition for a writ of habeas corpus. He did not file, however, an 17 application to proceed in forma pauperis, nor did he pay the filing fee of five dollars (\$5.00). 18 In addition, petitioner has submitted an entirely hand-written document styled as a petition 19 for writ of habeas corpus. ECF No. 1-1. Because he appears to be challenging his state custody 20 under a state-court judgment, he is required to complete a petition for a writ of habeas corpus 21 pursuant to 28 U.S.C. § 2254 on the court-approved form. Local Rule, LSR 3-1 (requiring habeas 22 petitioners appearing pro se to file all of their petitions on the court's approved form). 23 IT IS THEREFORE ORDERED that petitioner shall file an application for leave to proceed in forma pauperis, accompanied by a signed financial certificate and a statement of his inmate 24 25 account. The Clerk of the Court shall send petitioner a blank application form for incarcerated 26 litigants. In the alternative, petitioner shall make the necessary arrangements to pay the filing fee of

five dollars (\$5.00), accompanied by a copy of this order. Petitioner shall have thirty (30) days from the date that this order is entered to comply. Failure to comply will result in the dismissal of this action.

IT IS FURTHER ORDERED that the Clerk shall send petitioner two copies of a noncapital Section 2254 habeas petition form, a copy of the instructions for the form, and a copy of the papers that he submitted in this action. Petitioner shall have thirty (30) days to file his habeas petition on a fully-completed form. Failure to comply will result in the dismissal of this action.

Dated this 6th day of June, 2018.

UNITED STATES DISTRICT JUDGE

Howard & MEKiller