

1 UNITED STATES DISTRICT COURT
2

3 DISTRICT OF NEVADA

4 FOLAJI AKINBAYODE,

Case No. 3:22-cv-00403-ART-CLB

5 Petitioner,

ORDER

6 v.

7 STATE OF NEVADA, *et al.*,8 Respondents.
9

10 *Pro se* Petitioner Folaji Akinbayode has submitted a petition for writ of
11 habeas corpus under 28 U.S.C. § 2254. ECF No. 1-1. He has not, however,
12 properly commenced this habeas action by either paying the standard \$5.00
13 filing fee or filing an application to proceed *in forma pauperis* ("IFP"). Pursuant
14 to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00
15 filing fee is required to initiate a habeas action in a federal district court.

16 The Court may authorize an indigent inmate to begin a habeas action
17 without paying the \$5.00 fee if he or she submits an IFP application on the
18 court's approved form. *See* 28 U.S.C. § 1915(a), LSR 1-1, LSR 1-2.

19 Accordingly, Akinbayode will have 45 days from the date of this order to
20 either pay the \$5.00 filing fee or submit a complete IFP application.

21 It is therefore ordered that the initial screening of Petitioner Folaji
22 Akinbayode's petition for writ of habeas corpus (ECF No. 1-1) under the Rules
23 Governing Section 2254 Cases is deferred to until such time as he has fully
24 complied with this order.

25 It is further ordered that the Clerk is directed to send Akinbayode the
26 application form for inmates to proceed *in forma pauperis*. Within 45 days of the
27 date of this order, Akinbayode must file a completed and signed application.
28 Alternatively, Akinbayode must pay the \$5.00 filing fee within 45 days. If

1 Akinbayode decides to pay the filing fee from his inmate account, Akinbayode
2 must arrange to have a copy of this order attached to the check for the filing
3 fee. Akinbayode's failure to timely comply with this order will result in the
4 dismissal of his petition without prejudice and without further advance notice.

5 DATED THIS 15th day of September, 2022.

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10 ANNE R. TRAUM
11 UNITED STATES DISTRICT JUDGE
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