

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

|                      |   |                                |
|----------------------|---|--------------------------------|
| HARVEY HOOD, JR.,    | : |                                |
|                      | : | Civil Action No. 13-1422 (NLH) |
| Petitioner,          | : |                                |
|                      | : |                                |
| v.                   | : | <b>MEMORANDUM OPINION</b>      |
|                      | : |                                |
| WARDEN J.T. SHARTLE, | : |                                |
|                      | : |                                |
| Respondent.          | : |                                |

**APPEARANCES:**

Petitioner pro se  
Harvey Hood, Jr.  
F.C.I. Fairton  
Fairton, NJ 08320

**HILLMAN**, District Judge

Petitioner Harvey Hood, Jr., a prisoner confined at the Federal Correctional Institution at Fairton, New Jersey, has filed a Petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2241, challenging the imposition of a term of supervised release as part of his federal sentence. See United States v. Hood, Criminal No. 08-0163 (S.D.W.Va.).

The filing fee for a petition for writ of habeas corpus is \$5.00. Pursuant to Local Civil Rule 54.3(a), the filing fee is required to be paid at the time the petition is presented for filing. Pursuant to Local Civil Rule 81.2(b), whenever a prisoner submits a petition for writ of habeas and seeks to proceed in forma pauperis, that petitioner must submit (a) an affidavit setting forth information which establishes that the

petitioner is unable to pay the fees and costs of the proceedings, and (b) a certification signed by an authorized officer of the institution certifying (1) the amount presently on deposit in the prisoner's prison account and, (2) the greatest amount on deposit in the prisoners institutional account during the six-month period prior to the date of the certification. If the institutional account of the petitioner exceeds \$200, the petitioner shall not be considered eligible to proceed in forma pauperis. Local Civil Rule 81.2(c).

Petitioner did not prepay the \$5.00 filing fee for a habeas petition as required by Local Civil Rule 54.3(a), nor did Petitioner submit an application for leave to proceed in forma pauperis. Accordingly, this action will be administratively terminated for failure to satisfy the filing fee requirements and Plaintiff will be granted leave to apply to re-open.

To the extent Petitioner asserts that institutional officials have refused to provide the certified account statement, any such assertion must be supported by an affidavit detailing the circumstances of Petitioner's request for a certified account statement and the institutional officials' refusal to comply, including the dates of such events and the names of the individuals involved.

In addition, the Court notes that the Petition, as filed, appears incomplete and is not signed. Any application to re-open must be accompanied by a complete, signed, copy of the Petition.

CONCLUSION

For the reasons set forth above, the Clerk of the Court will be ordered to administratively terminate the Petition without prejudice. Petitioner will be granted leave to apply to re-open within 30 days, by either prepaying the filing fee or submitting a complete application for leave to proceed in forma pauperis.

An appropriate Order will be entered.

At Camden, New Jersey

s/ Noel L. Hillman  
Noel L. Hillman  
United States District Judge

Dated: March 13, 2013