

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MICHAEL C. HEYWARD,

Petitioner,

v.

WARDEN FCI FAIRTON,

Respondent.

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Civ. No. 17-7131 (RBK)

MEMORANDUM AND ORDER

Petitioner is a federal prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. He requests to proceed *in forma pauperis*.

The certification and account statement submitted by Petitioner indicates the greatest amount on deposit in his prison account in the past six months was \$496.02. Under the local rules, “[i]f the prison account of any petitioner or movant exceeds \$200, the petitioner or movant shall not be considered eligible to proceed *in forma pauperis*.” Local Civ. R. 81.2(c). Petitioner is therefore ineligible for *in forma pauperis* status and must pay the \$5.00 filing fee before the petition can be filed.

Accordingly, IT IS this 29th day of September, 2017,

ORDERED that petitioner’s application to proceed *in forma pauperis* is DENIED, Local Civ. R. 81,2(c); and it is further

ORDERED that the Clerk of the Court shall **ADMINISTRATIVELY TERMINATE** the petition pending submission of the filing fee; and it is further

ORDERED that the Clerk shall serve this order on petitioner by regular U.S. mail.

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge