

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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GENNY RIVAS,	:	
	:	
	:	Crim. No. 11-427 (SDW)
Petitioner,	:	Civil No. 14-608(SDW)
	:	
v.	:	MEMORANDUM AND ORDER
	:	
ERIC WILSON, WARDEN,	:	
	:	
Respondent.	:	

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This matter having come before the Court on Petitioner’s submission of a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, and it appearing that:

1. Petitioner is currently a federal inmate confined at the FCI Petersburg in Petersburg, Virginia, at the time this habeas petition was submitted on his behalf by counsel.
2. Petitioner challenges the execution of his federal sentence; namely, Petitioner seeks immediate access to “DAP” or opportunity for early release pursuant to 18 U.S.C. § 3621(e).
3. Petitioner neither prepaid the \$5.00 filing fee for a habeas petition as required by Local Civil Rule 54.3(a), nor submitted a complete application to proceed *in forma pauperis* (“IFP”) that contains a certification by an authorized official at his place of confinement certifying Petitioner’s

institutional account for the preceding six months, as required under L.Civ.R. 81.2(b).

IT IS THEREFORE on this 6<sup>th</sup> day of February, 2014,

ORDERED that the Clerk of the Court shall administratively terminate this case for Petitioner's failure to either pay the requisite filing fee of \$5.00 or submit a complete application to proceed *in forma pauperis*; and it is further

ORDERED that the Clerk of the Court shall supply to Petitioner a blank form Application to Proceed *In Forma Pauperis* in a Habeas Corpus Case (DNJ-PRO-SE-007-B.pdf), for use by a prisoner; and it is further

ORDERED that, if Petitioner wishes to reopen this action, she shall so notify the Court within 30 days of the date of entry of this Order, in writing addressed to the Clerk of the Court, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Room 4015, Newark, New Jersey 07101; Petitioner's writing shall include either: (1) a complete *in forma pauperis* application, including a certification of Petitioner's institutional account, as required by Local Civil Rule 81.2(b); or (2) the \$5 filing fee; and it is finally

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Petitioner's counsel by regular U.S. mail, and close this case accordingly.

s/ Susan D. Wigenton  
SUSAN D. WIGENTON  
United States District Judge