

265, 275 (3d Cir. 2013) (distinguishing administrative terminations from dismissals); *Jenkins v. Superintendent of Laurel Highlands*, 705 F.3d 80, 84 n.2 (3d Cir. 2013) (describing prisoner mailbox rule generally); *Dasilva v. Sheriff's Dep't.*, 413 F. App'x 498, 502 (3d Cir. 2011) (per curiam) (“[The] statute of limitations is met when a [motion] is submitted to the clerk before the statute runs”); it is further

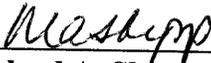
ORDERED that the Clerk of the Court shall supply to Petitioner a blank form Affidavit of Poverty and Certification (Habeas Corpus) – DNJ-Pro-Se-007-B-(Rev. 09/09); it is further

ORDERED that if Petitioner wishes to reopen this case, he shall so notify the Court, in a writing addressed to the Clerk of the Court, Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Room 2020, Trenton, New Jersey 08608, within 30 days of the date of entry of this Memorandum and Order; Petitioner’s writing shall include either: (1) a complete *in forma pauperis* application, as required by Local Civil Rule 81.2(b), or (2) the \$5 filing fee;¹ it is further

ORDERED that upon receipt of a writing from Petitioner stating that he wishes to reopen this case, and a complete, signed petition, the Clerk of the Court will be directed to reopen this case; and it is further

¹ The Court notes that Petitioner filed a § 2254 petition, as a pre-trial detainee. However, § 2254 petitions can only challenge custody by a State “pursuant to the judgment of a State court only on the ground that he is in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2254(a). If Petitioner wishes to challenge his pre-trial detention by the State, Petitioner should amend his petition by filing a § 2241 petition instead. The Court further notes that a cursory review of the Petition suggests that the Court may not have jurisdiction to review the issues raised by Petitioner in a § 2241 petition. Petitioner should raise these issues in his state court proceedings instead.

ORDERED that the Clerk of the Court shall serve a copy of this Memorandum and Order upon Petitioner by regular U.S. mail.



Michael A. Shipp
United States District Judge