



action is to file a motion to amend the pending petition if Petitioner wishes to add claims and receive permission to do so from the Court.

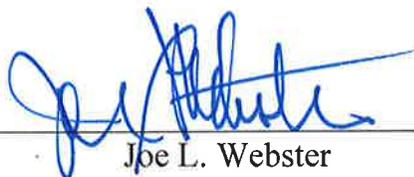
Because of this pleading failure, the Petition should be filed and then dismissed, without prejudice to Petitioner moving to amend his pending habeas petition in case 1:14CV988.

*In forma pauperis* status will be granted for the sole purpose of entering this Order and Recommendation and the Clerk will return Plaintiff's \$5.00 filing fee.

IT IS THEREFORE ORDERED that *in forma pauperis* status is granted for the sole purpose of entering this Order and Recommendation and that the Clerk return the \$5.00 filing fee to Plaintiff.

IT IS RECOMMENDED that this action be filed, but then dismissed *sua sponte* without prejudice to Petitioner moving to amend his pending habeas petition in case 1:14CV988.

This, the 13<sup>th</sup> day of April, 2015.



Joe L. Webster  
United States Magistrate Judge