

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16-cv-631-FDW



WALTER TIMOTHY GAUSE, )  
)  
Petitioner, )  
)  
vs. )  
)  
ROY COOPER, )  
)  
Respondent. )  
\_\_\_\_\_)

ORDER

**THIS MATTER** is before the Court upon an initial review of Walter Timothy Gause’s pro se Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. (Doc No. 1.) Rule 2(c)(5) of the Rules Governing Section 2254 Cases in the United States District Courts requires that a Petition for Writ of Habeas Corpus be “signed under penalty of perjury by the petitioner or by a person authorized to sign it for the petitioner under 28 U.S.C. § 2242.” Neither Petitioner, nor a person authorized by him, signed the instant Petition under penalty of perjury. (Pet. 15, Doc. No. 1.)<sup>1</sup>

**IT IS, THEREFORE, ORDERED** that the Clerk of Court shall send Petitioner a copy of the Petition for Writ of Habeas Corpus (Doc. No. 1). Petitioner shall have fifteen (15) days from receipt of the Petition to sign Page 16, under penalty of perjury, and return it to the Clerk of Court. Failure to comply with this Order shall result in the dismissal of the instant Petition for Writ of Habeas Corpus.

Signed: September 9, 2016

  
\_\_\_\_\_  
Frank D. Whitney  
Chief United States District Judge 

<sup>1</sup> Citations to the § 2254 Petition use page numbers generated by CM/ECF, the Court’s electronic filing system.