

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

THEODORE W. SMITH, III,

Petitioner,

-vs-

WARDEN, Southern Ohio Correctional  
Facility,

Respondent.

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Case No. 3:13-cv-065

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District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

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**ORDER**

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This habeas corpus case, brought under 28 U.S.C. § 2254, is before the Court for initial review under Rule 4 of the Rules Governing § 2254. The Court has granted Petitioner leave to proceed *in forma pauperis*. However, the Court cannot proceed further to review the Petition because the Court cannot read it. Various court personnel have attempted to read the document and the Court has duplicated it on scanning equipment which increases the size of the typeface, but all to no avail.

It is accordingly ORDERED that Petitioner file, not later than March 26, 2013, an amended petition setting forth his claims in large enough printing by hand or in typewritten form so that it can be read by the Court.

March 5, 2013.

s/ *Michael R. Merz*  
United States Magistrate Judge