

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

LOYD KENNEDY,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. CIV-14-0925-F
	)	
WARDEN MIKE ADDISON,	)	
	)	
Respondent.	)	

**ORDER**

The Report and Recommendation of Magistrate Judge Shon T. Erwin, doc. no. 5, and petitioner's objections to the Report, doc. no. 6, are before the court.

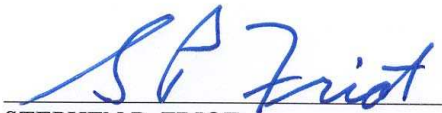
The Report recommends denial of the application for in forma pauperis status, doc. no. 2. The Report recommends that this action be dismissed if petitioner does not pay the full \$5.00 filing fee within twenty days of the date of the Report. Petitioner does not object to denial of in forma pauperis status. Rather, his objection states that he intends to pay the filing fee, which he has now done. Doc. no. 9 (receipt).

The Report also recommends that petitioner file an amended petition for habeas relief. Petitioner objects, stating that he should not be required to use a specific form. The Report merely recommends that petitioner submit an amended petition on the form sent to him by the magistrate judge. Regardless, petitioner's objection states that he intends to file an amended petition and he has now done so. Doc. no. 8.

Petitioner objects to the Report, stating that if he had been furnished a copy of the referral he would have protested Magistrate Erwin's appointment. Doc. no. 6. Petitioner's objection to the referral of this matter to Magistrate Judge Erwin is **DENIED**.

Magistrate Judge Erwin's Report is **ADOPTED**. Petitioner's application for in forma pauperis status, doc. no. 2, is **DENIED**. This matter is re-referred to the magistrate judge, for all purposes consistent with the original referral.

Dated this 24<sup>th</sup> day of September, 2014.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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