

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

DENNIS MARTIN,)
Petitioner,)
v.) Case No. CIV-16-1170-D
CARL BEAR, Warden,)
Respondent.)

ORDER

This matter is before the Court for review of the Report and Recommendation [Doc. No. 6] issued by United States Magistrate Judge Bernard M. Jones on October 11, 2016. Judge Jones recommends the denial of Petitioner’s application for leave to proceed in forma pauperis [Doc. No. 2] because Petitioner has sufficient funds to pay the \$5.00 filing fee for his Petition. Within the time period for a written objection, Petitioner has paid the required \$5.00 fee. Accordingly, the Court finds that Petitioner’s application to proceed in forma pauperis is moot.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 6] is ADOPTED, and Petitioner’s in forma pauperis application [Doc. No. 2] is DENIED.

IT IS FURTHER ORDERED that this matter is re-referred to Judge Jones for further proceedings consistent with the initial case referral.

IT IS SO ORDERED this 10th day of November, 2016.

Handwritten signature of Timothy D. DeGiusti

TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE