

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

MARIO AKOTHE,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CIV-17-693-D
	)	
WARDEN BEAR,	)	
	)	
Respondent.	)	

**ORDER**

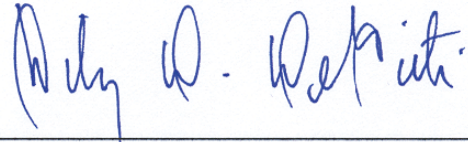
This matter is before the Court for review of the Report and Recommendation [Doc. No. 5] issued by United States Magistrate Judge Gary M. Purcell, recommending the denial of Petitioner’s motion for leave to proceed *in forma pauperis* (IFP) because he has sufficient financial resources to pay the \$5.00 filing fee, and dismissal of the action if Petitioner fails to pay the filing fee by July 17, 2017. Petitioner has neither made a timely written objection nor paid the filing fee, but he has inquired of the Clerk regarding the status of his case [Doc. No. 6].

Upon consideration, the Court finds that Petitioner has waived further review of the issues addressed in the Report and that his IFP motion should be denied. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 E.t 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The Court further finds that Petitioner should be granted additional time to pay the filing fee.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 5] is ADOPTED, and Petitioner’s IFP Motion [Doc. No. 2] is DENIED.

IT IS FURTHER ORDERED that Petitioner shall pay the \$5.00 filing fee, or show cause for nonpayment, within 21 days from the date of this Order. Failure to comply with this Order will result in the dismissal without prejudice of this action.

IT IS SO ORDERED this 26<sup>th</sup> day of July, 2017.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE