

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

**JIMMY D. STEPNEY,**

**Petitioner,**

**v.**

**TOMMY SHARP,**

**Respondent.**

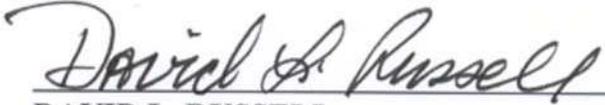
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**Case No. CIV-17-1164-R**

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Judge Shon T. Erwin entered October 31, 2017. Doc. No. 5. Judge Erwin recommended that this matter be dismissed unless Petitioner paid the filing fee in the amount of \$5.00. Petitioner remitted his \$5.00 filing fee on November 16, 2017; therefore in light of the payment of the filing fee, the undersigned adopts the Report and Recommendation to the extent that the Motion for Leave to Proceed *In Forma Pauperis* is denied and re-refers this matter to Magistrate Judge Erwin for further proceedings consistent with the original referral herein.

IT IS SO ORDERED this 17<sup>th</sup> day of November, 2017.

  
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DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE