

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DERRICK LEVI MCKINNEY	:	CIVIL ACTION
	:	
v.	:	NO. 09-3679
	:	
PENNSYLVANIA BOARD OF PROBATION & PAROLE, et al.	:	
	:	

ORDER

AND NOW, this 10th day of September, 2009, it is **ORDERED** as follows:

1. The petition to proceed *in forma pauperis* (Document No. 3) is **DENIED WITHOUT PREJUDICE**;

2. If petitioner files with the Clerk within twenty (20) days from the date of this Order a notice that he wishes to proceed with this action and obligates himself to pay the \$350.00 filing fee, this action will be reinstated.

/s/ Timothy J. Savage
TIMOTHY J. SAVAGE, J.