

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE: William Whitefield, # 07791-027,

) Misc No. 0:10-MC-144-PJG

Movant.

ORDER

The movant is a federal inmate at Williamsburg County. He has submitted three (3) pleadings: a motion for an extension of time, a motion to proceed *in forma pauperis*, and a motion for a certificate of appealability. **No docket number appears on any of the three pleadings.** Also, the three defendants or respondents listed in the captions of the three pleadings do not "match" the parties in petitioner's prior Section 2241 habeas corpus action, Civil Action No. 0:09-3174-HFF-PJG.

The movant's motion to proceed *in forma pauperis* (ECF No. 2) is granted.

In the event that the movant is seeking an extension of time to file an appeal in his prior habeas corpus action (Civil Action No. 0:09-3174-HFF-PJG), the motion for an extension of time cannot be granted because the period for a timely appeal has expired. Also, if the movant is seeking a certificate of appealability in his prior habeas corpus action, his failure to file a timely appeal would adversely affect the motion for certificate of appealability, which, in any event, would have to be decided by the assigned United States District Judge or by the United States Court of Appeals for the Fourth Circuit.

The movant's motion for an extension of time (ECF No. 1) is **denied**. Since the movant's motion for certificate of appealability bears no docket number, the Clerk of Court may terminate that motion (ECF No. 3) because it is not ripe for review. The Clerk shall close the file in this matter.

IT IS SO ORDERED.

Paige Gassett

Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

October 6, 2010
Columbia, South Carolina