

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

James Muhammad, also known as)	C/A No.: 1:15-4513-MGL-SVH
Ahmad Muhammad-Ali,)	
)	
Petitioner,)	
)	
vs.)	ORDER
)	
Correct Care Solutions and Chief)	
McCleave,)	
)	
Respondents.)	
)	

This is an action seeking habeas corpus relief under 28 U.S.C. § 2241. Petitioner is a prisoner. Therefore, in the event that a limitations issue arises, Petitioner shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266 (1988) (prisoner’s pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Under Local Civ. Rule 73.02(B)(2)(c) (D.S.C.), pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

PAYMENT OF THE FILING FEE:

Petitioner has requested to proceed without prepaying the filing fee by filing an Application to Proceed in District Court Without Prepaying Fees or Costs (AO240), which is construed as a Motion for Leave to Proceed in forma pauperis. Based on a review of the Motion, Petitioner’s request to proceed in forma pauperis is granted. [ECF No. 2].

TO THE CLERK OF COURT:

The Clerk of Court shall not serve the § 2241 petition upon Respondents because the petition is subject to dismissal.

IT IS SO ORDERED.

Shiva V. Hodges

November 16, 2015
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge