

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

CHARLES MONTAGUE, )  
Petitioner, )  
v. ) No. 2:17-CV-018-JRG-MCLC  
RANDY LEE, )  
Respondent. )

**MEMORANDUM AND ORDER**

This is a pro se prisoner's petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. Now before the Court is Petitioner's motion for leave to proceed *in forma pauperis* [Doc. 1]. It is apparent from the trust fund statement filed therewith, however, that Petitioner has \$51.21 in his inmate trust account [Doc. 1-1 p. 1], which is more than enough to pay the \$5.00 filing fee in this matter. Accordingly, Petitioner's motion for leave to proceed *in forma pauperis* [Doc. 1] is **DENIED**. Petitioner is **ORDERED** to pay the \$5.00 filing fee within thirty (30) days of entry of this order. Petitioner is **NOTIFIED** that if he fails to timely pay the filing fee, the Court will assess the filing fee and dismiss this action for want of prosecution and for failure to comply with Court orders.

**SO ORDERED.**

**E N T E R :**

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s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE