

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JAMES MARTINEZ  
Plaintiff,

v.

SAMUEL TIMOTHY McGRAW, et al.  
Defendants.

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No. 3:08-0738  
Judge Nixon

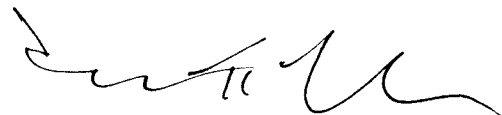
ORDER

The plaintiff has filed a *pro se* Notice of Appeal (Docket Entry No. 115). He has not, however, submitted either the full appellate filing fee or an application to proceed on appeal in forma pauperis with his Notice.

Accordingly, the plaintiff is hereby GRANTED thirty (30) days from the date of entry of this order on the docket in which to either pay the Clerk of this Court the entire appellate filing fee of four hundred fifty five dollars (\$455.00) or submit an application to proceed on appeal in forma pauperis. Callihan v. Schneider, 178 F.3d 800, 803 (6<sup>th</sup> Cir.1999).

The Clerk shall send the plaintiff a blank application to proceed in forma pauperis. The Clerk is also directed to forward a copy of this order to the Clerk of the Court of Appeals.

It is so ORDERED.



John T. Nixon  
Senior District Judge