

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

---

ERIC HOUSTON,	)	
	)	
Petitioner,	)	
	)	
	)	No. 1:17-cv-1124-JDB-egb
	)	
MIKE PARRIS,	)	
	)	
Respondent.	)	

---

SECOND ORDER  
DIRECTING PETITIONER TO COMPLY WITH 28 U.S.C. § 1915(a)(2)  
OR PAY THE HABEAS FILING FEE

On June 29, 2017, Petitioner, Eric Houston, Tennessee Department of Correction prisoner number 204320, an inmate at the Northwest Correctional Complex, in Tiptonville, Tennessee, filed a pro se habeas corpus petition under 28 U.S.C. § 2254. (ECF No. 1.) However, Houston neglected to submit either the \$5.00 habeas filing fee required by 28 U.S.C. § 1914(a)-(b) or an application to proceed *in forma pauperis* which includes a certification by the prison trust fund account officer, as required by 28 U.S.C. § 1915(a)(2). On June 30, 2017, the Court entered an order directing Petitioner to comply with 28 U.S.C. § 1915(a)(2) or pay the \$5.00 the habeas corpus filing fee. (ECF No. 3.)

On July 12, 2017, Petitioner filed his application to proceed *in forma pauperis*. (ECF No. 5.) However, the application to proceed *in forma pauperis* was not accompanied by a certification from the prison trust fund account officer and a trust account statement for the last six months.

Accordingly, Petitioner is ORDERED within thirty (30) days after the date of this Order

to pay the five-dollar habeas filing fee or submit his trust account statement for the last six months.<sup>1</sup> Failure to comply with this Order in a timely manner will result in dismissal of this action without further notice for failure to prosecute, pursuant to Fed.R.Civ.P.41(b).

**SO ORDERED** this 18th day of July, 2017.

**s/ J. DANIEL BREEN**

J. Daniel Breen

UNITED STATES DISTRICT JUDGE

---

<sup>1</sup> Plaintiff does not need to submit another application to proceed *in forma pauperis*.