

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHARLES JEFFERY DAVIS

Petitioner,

V.

MARGARET GILBERT

Respondent.

Case No. C17-5665 RBL-TLF

ORDER TO SHOW CAUSE
REGARDING PETITIONER'S
APPLICATION TO PROCEED *IN
FORMA PAUPERIS*

This matter is before the Court on petitioner's filing of an application to proceed *in forma pauperis* and a petition for writ of *habeas corpus* under 28 U.S.C. §2254. Dkt. 1. An attached trust account statement dated August 4, 2017 shows that petitioner has average monthly receipts of \$35.93 and an average monthly spendable balance of \$72.05. The filing fee for a habeas petition is \$5.00. Based on the information provided by petitioner, the Court is unable to determine whether he should be granted IFP.

Accordingly, the Court ORDERS:

(1) Petitioner shall show cause why his IFP application should not be denied **on or before October 29, 2017**. Alternatively, petitioner may pay the \$5.00 filing fee before that date. Petitioner's failure to do so shall be deemed a failure to properly prosecute this matter and the Court will recommend dismissal of the petition.

1 (2) The Clerk is directed to send a copy of this Order to petitioner.
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Dated this 26th day of September, 2017.

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Theresa L. Fricke

Theresa L. Fricke
United States Magistrate Judge