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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 MELFORD JOHN WARREN, JR.,

11 Petitioner,

12 v.

13 STATE OF WASHINGTON,

14 Respondent.

CASE NO. 3:17-cv-05812-BHS-JRC

ORDER TO CORRECT IFP  
DEFICIENCY

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16 The District Court has referred this petition for a writ of habeas corpus to United States  
17 Magistrate Judge J. Richard Creatura. The District Court's authority for the referral is 28 U.S.C.  
18 § 636(b)(1)(A) and (B), and local Magistrate Judge Rules MJR3 and MJR4. Petitioner seeks  
19 relief from a state conviction.

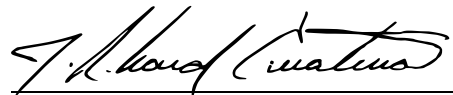
20 Petitioner filed his petition pursuant to 28 U.S.C. § 2254 on October 6, 2017. Dkt. 1.  
21 However, the Clerk noted that he had not paid the filing fee or filed a motion for leave to proceed  
22 *in forma pauperis* ("motion for IFP") and sent a letter to petitioner explaining his deficiency.  
23 Dkt. 3. The Clerk warned that petitioner had until November 13, 2017 to file an amended motion  
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1 with a certified copy of his prison trust account or his action could face dismissal. *Id.* Petitioner  
2 has failed to do so.

3 Therefore, the Court orders petitioner to file a motion for IFP with a certified copy of his  
4 prison trust account or pay the \$5.00 filing fee **on or before December 15, 2017**. If petitioner  
5 fails to do so, the Court will recommend that petitioner's habeas petition be dismissed for failure  
6 to obey a court order and failure to prosecute.

7 In the alternative, petitioner may file a motion to voluntarily dismiss his petition without  
8 prejudice. He may then refile his action at a later date.

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10 Dated this 21st day of November, 2017.

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13 J. Richard Creatura  
14 United States Magistrate Judge  
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