

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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YANCEY L. WHITE,

Petitioner,

v.

WARDEN SCIBANA, F.C.I. Oxford,

Respondent.  
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ORDER

03-C-581-C

When petitioner failed to timely submit a payment of \$1.44 toward his \$5 fee for filing this petition for a writ of habeas corpus brought under 28 U.S.C. § 2241, the case was closed as directed in this court's order of October 17, 2003. Now petitioner has paid the amount he was ordered to pay. In a letter accompanying the payment, petitioner requests leniency for his tardiness. Petitioner explains that it was the failure of prison officials to respond promptly to this court's order and not any omission on his part that resulted in the delayed payment. I construe petitioner's letter to include a motion to reopen this case. The motion will be granted and petitioner's petition will be taken under advisement for a determination whether respondent should be ordered to show cause why the petition should not be granted. As soon as a ruling is issued, petitioner will be notified promptly.

ORDER

IT IS ORDERED that petitioner's motion to reopen this petition for a writ of habeas corpus is GRANTED.

Entered this 5th day of December, 2003.

BY THE COURT:

BARBARA B. CRABB  
District Judge