

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

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RUSSELL H. FARR, JR.,

Petitioner,

ORDER

v.

08-cv-0557-slc

ROBERT SPODEN,  
Rock County Sheriff,

Respondent.

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Russell H. Farr, Jr. has filed what appears to be an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pursuant to Rule 3 of the Rules Governing Section 2254 Cases, the petition must be accompanied by:

- (1) the five dollar (\$5) filing fee; OR
- (2) a motion for leave to proceed *in forma pauperis*, the affidavit required by 28 U.S.C. § 1915, and a certificate from the warden or other appropriate officer of the place of confinement showing the amount of money or securities that the petitioner has in any account in the institution.

Petitioner has not submitted either the filing fee or the paperwork necessary to support a determination that he is entitled to proceed without paying the filing fee. Accordingly,

ORDER

IT IS ORDERED that petitioner has until October 3, 2008 in which to submit either the \$5 filing fee or an application for leave to proceed *in forma pauperis*. If he fails to submit the filing fee or an application for leave to proceed *in forma pauperis* on or before October 3, 2008, the court will dismiss the petition for failure to prosecute.

Entered this 24<sup>th</sup> day of September, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge