

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

TAYR KILAAB al GHASHIYAH (KHAN),

Petitioner,

ORDER

v.

08-cv-413-slc

PETER HUIBREGTSE, Warden,
Wisconsin Secure Program Facility,

Respondent.

Tayr Kilaab al Ghashiyah (Khan), an inmate at the Wisconsin Secure Program Facility in Boscobel, Wisconsin, has filed an application for a writ of habeas corpus. Pursuant to Rule 3 of the Rules Governing Section 2254 Cases, the petition must be accompanied by:

(1) the applicable 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 five dollar filing fee or a motion for leave to proceed in forma pauperis. Petitioner's assertion in his cover letter that he has a balance of \$7.32 at the court is incorrect. In any case, the court does not apply fees paid in an unrelated matter to another case.

Accordingly, the court will take no action on the petition until petitioner submits either the filing fee or the motion to proceed in forma pauperis accompanied by an affidavit of indigency and a trust account statement from the institution.

ORDER

Petitioner has until August 27, 2008, in which to submit either the filing fee or the motion to proceed in forma pauperis accompanied by an affidavit of indigency and a trust account statement from the institution. If he fails to make either of these submissions by August 27, 2008, his petition will be dismissed for his failure to prosecute it.

Entered this 6th day of August, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge