

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

GREGORY JOHN MILO,

Petitioner,

v.

CASE NO. 17-3154-SAC

WARDEN DAN SCHNURR,

Respondent.

MEMORANDUM AND ORDER

This matter is a petition for habeas corpus filed under 28 U.S.C. § 2254. On August 31, 2017, the Clerk of the Court entered a notice of deficiency advising petitioner that he must submit either the \$5.00 filing fee or a motion to proceed in forma pauperis. Petitioner has submitted a motion to extend the time for filing (Doc. #3).

The Court has examined the motion and directs petitioner to submit a motion to proceed in forma pauperis. Petitioner's financial statement suggests he lacks access to the resources to pay the filing fee.

IT IS, THEREFORE, BY THE COURT ORDERED petitioner's motion is granted, and he is directed to submit a motion to proceed in forma pauperis on or before November 13, 2017. The Clerk of the Court shall transmit a form motion to proceed in forma pauperis to petitioner.

IT IS SO ORDERED.

DATED: This 13th day of October, 2017, at Topeka, Kansas.

S/ Sam A. Crow
SAM A. CROW
U.S. Senior District Judge