FILED
U.S. District Court
District of Kansas
08/19/2026
Clerk, U.S. District Court
By: SND Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DANIEL L. CREGUT,

Petitioner,

v. **CASE NO. 26-3249-JWL**

STATE OF KANSAS,

Respondent.

MEMORANDUM AND ORDER

This matter is a pro se petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 filed on July 22, 2026 by Petitioner Daniel L. Cregut, a state prisoner currently incarcerated at Hutchinson Correctional Facility in Hutchinson, Kansas. (Doc. 1.) It comes now before the Court on Petitioner's motions for leave to proceed in forma pauperis[1] (Docs. 2 and 8). In order to proceed in forma pauperis in a federal habeas matter, a state prisoner must show a financial inability to pay the statutorily required filing fee. *Cf. DeBardeleben v. Quinlan*, 937 F.2d 502, 505 (10th Cir. 1991). Petitioner's inmate account statement reflects that as of July 15, 2026, Petitioner had an available cash balance of over $2,000.00. (Doc. 8-1, p. p. 1.) Thus, he has failed to show a financial inability to pay the $5.00 filing fee.

IT IS THEREFORE ORDERED that Petitioner's motions for leave to proceed in forma pauperis (**Docs. 2 and 8**) are **denied.** Petitioner is granted until and including September 18, 2026 to pay the $5.00 filing fee for this case. If he fails to do so by the deadline, this case will be

[1] When Petitioner filed his first motion for leave to proceed in forma pauperis, it was not on the required form and did not include the required information about Petitioner's inmate accounts. (Doc. 2.) Thus, the Court issued a notice of deficiency granting Petitioner time in which to submit a new motion for leave to proceed in forma pauperis, on the required form, and attach the required financial information. (Doc. 7.) Petitioner has timely complied. (Doc. 8.)

dismissed without prejudice and without further prior notice to him. If Petitioner timely pays the filing fee, the Court will consider the other currently pending motions (Docs. 3, 4, and 5) and will issue further orders as necessary.

IT IS SO ORDERED.

DATED: This 19th day of August, 2026, at Kansas City, Kansas.

S/ John W. Lungstrum
JOHN W. LUNGSTRUM
United States District Judge