

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

MARCUS OCTAVIOUS SLATON,

Petitioner,

V.

STATE OF GEORGIA,

Respondent.

NO. 5:24-cv-00175-CAR-CHW

ORDER

Petitioner Marcus Octavious Slaton, a prisoner in Macon State Prison in Oglethorpe, Georgia, filed a handwritten document that was docketed as a 28 U.S.C. § 2254 petition for a writ of habeas corpus. Pet. for Writ of Habeas Corpus, ECF No. 1. Because Petitioner did not use the required habeas corpus form, Petitioner was ordered to complete and file a 28 U.S.C. § 2254 habeas corpus form. Order, ECF No. 3. Petitioner was also ordered to pay the \$5.00 filing fee or to file a complete and proper motion for leave to proceed *in forma pauperis*. *Id.*

Petitioner subsequently filed a motion to proceed *in forma pauperis*, but this motion was incomplete because Petitioner did not submit a certified trust fund account statement with his motion. Mot. for Leave to Proceed *In Forma Pauperis*, ECF No. 5. The Court ordered Petitioner to file a certified trust fund account statement, completed and signed by the proper prison official and supported by a printout of Petitioner's account transactions for the six months before he filed the habeas corpus petition, and also ordered Petitioner to complete and file a proper and complete 28 U.S.C. § 2254 habeas corpus petition. Order,

ECF No. 7. Petitioner was given fourteen days to file his certified trust fund account statement and his recast petition and was cautioned that his failure to do so could result in the dismissal of this action. *Id.*

More than fourteen days have now passed since that order was entered, and Petitioner has not filed a certified account statement or a recast petition or otherwise responded to the Court's order. Accordingly, Petitioner is now **ORDERED** to **RESPOND and SHOW CAUSE** to the Court why this case should not be dismissed based on Petitioner's failure to comply with the Court's order. Petitioner shall have **FOURTEEN (14) DAYS** from the date of this order to respond. Petitioner's failure to fully and timely respond to this order will likely result in the dismissal of this action.

There shall be no service in this case pending further order of the Court.

SO ORDERED, this 16th day of October, 2024.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge