

**UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT**

No. 07-2764
DC No. 07-cv-11752

THOMAS A. SHAY,
Petitioner, Appellant,

v.

UNITED STATES,
Respondent, Appellee.

ORDER OF COURT

ENTERED: April 8, 2008
Pursuant to 1st Cir. R. 27.0(d)

This court has been notified that appellant's request to proceed on appeal in forma pauperis was denied in the District Court on April 8, 2008.

Accordingly, appellant must either pay the docket fees - a total of \$455.00 - to the Clerk of the District Court or file a compliant request for in forma pauperis status before the Court of Appeals. A compliant request for in forma pauperis consists of a motion, fully completed Form 4, Financial Affidavit, and a prison trust account statement, if incarcerated. See Fed.R.App.P. 24(a)(5). If payment has been made, appellant must submit a copy of the receipt, referencing the above docket number, to the Court of Appeals.

The failure to take either action by **May 9, 2008**, and provide this court with proof thereof, will lead to dismissal of the appeal for lack of diligent prosecution. Local Rule 3.0(b).

By the Court:

/s/Richard Cushing Donovan, Clerk

cc: Thomas A. Shay
James F. Lang, Esquire
Dina M. Chaitowitz, Esquire
Timothy Q. Feeley