

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JOHN GLENN HOUTSMA,

Plaintiff,

v.

Case No: 2:17-cv-556-FtM-38CM

UNKNOWN DEFENDANT,

Defendant.

OPINION AND ORDER¹

This matter comes before the Court on the Plaintiff John Glen Houtsma's Complaint ([Doc. #1](#)) filed on October 10, 2017. Upon review of the pleading, it is unclear what relief is sought. Plaintiff appears to both complain about the constitutionality of his underlying conviction and urge that he is being mistreated by prison authorities. *Id.* Plaintiff failed to use the civil rights complaint form or habeas corpus form required for use by pro se litigants to present their cases.

As currently written, the instant pleading fails to contain the information required in a civil rights complaint. For example, Plaintiff's allegations are virtually unintelligible, and the complaint does not contain the factual information needed to determine the basis of Plaintiff's claim. See [28 U.S.C. § 1915\(g\)](#).

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

Furthermore, Plaintiff has failed to either pay the required filing fee or submit a motion for leave to proceed in forma pauperis. Therefore, this case will be dismissed without prejudice to give Plaintiff an opportunity to properly file a civil rights complaint and to either pay the filing fee or submit an affidavit of indigency to the Court.

Accordingly, it is now

ORDERED:

1. Plaintiff John Glen Houtsma 's Complaint ([Doc. #1](#)) is **DISMISSED without prejudice.**
2. The Clerk of the Court shall terminate any pending motions, close the case, and enter judgment accordingly.
3. The Clerk shall also send Plaintiff a civil rights complaint form, a 28 U.S.C. § 2254 habeas form, an affidavit of indigency form, and a prisoner consent form and financial certificate. If Plaintiff chooses to pursue a civil rights action or habeas action, he may complete and submit these forms. However, Plaintiff should not place the instant case number on the forms as this case will be closed. The Clerk of the Court should assign a separate case number in the event Plaintiff elects to pursue another action.

DONE and **ORDERED** in Fort Myers, Florida this 13th day of October, 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies:
John Glen Houtsma
SA: FtMP-2