

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
ROCK ISLAND DIVISION**

KENNY E. JACKSON,

Plaintiff,

v.

MOLINE FORGE,

Defendant.

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Case No. 10-cv-4059

**O P I N I O N and O R D E R**

Plaintiff, who is proceeding *pro se*, filed suit against a former employer alleging that he was discriminated against on account of his race when he was fired on December 19, 2007. Plaintiff did not, however, pay the necessary filing fee nor did he seek to proceed *in forma pauperis*. On October 12, 2010, this Court informed Plaintiff of the failure to pay the filing fee and indicated that he must either pay the filing fee or file a Motion to Proceed *in forma pauperis* by November 1, 2010. The address provided by Plaintiff further revealed that Plaintiff was incarcerated at the Sheridan Correctional Center in Sheridan, Illinois. Therefore, this Court ordered Plaintiff to file a prison trust fund statement if he elected to file the Motion. Finally, Plaintiff was warned that the failure to file the Motion or pay the filing fee would result in dismissal of this lawsuit for want of prosecution. As of the date of this Order, no filing fee has been received by the Clerk and no Motion has been filed. Plaintiff did, however, file a letter with the Clerk, on October 26, 2010, stating a change in telephone number and questioning whether there is “anything else I need to do.” By this letter, the Court, out of an abundance of caution,

assumes that Plaintiff may not have received the Order directing him to pay the filing fee or file the Motion to Proceed *in forma pauperis*. Plaintiff is therefore GRANTED until November 22, 2010 to file the Motion or pay the filing fee.

After a review of the Complaint, the Court also questions whether Plaintiff has received a Right to Sue letter from the Equal Employment Opportunity Commission (EEOC). Along with any such Motion or filing fee, Plaintiff shall also file his Charge of Discrimination (that should have been filed with the EEOC prior to filing suit in this Court) and his Right to Sue letter. Plaintiff is again WARNED that the failure to comply with this Order SHALL result in dismissal of this lawsuit for want of prosecution.

Entered this 8th day of November, 2010

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s/ Joe B. McDade  
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JOE BILLY MCDADE  
United States Senior District Judge