

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JOHNNY HUGHLEY,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:12cv415-TMH
)	(WO)
U.S. ATTORNEY GENERAL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

The plaintiff has filed a *Bivens*-type complaint¹ alleging a violation of his constitutional rights by the U.S Attorney General and U.S. Probation Commissioner. (Doc. No. 1.) The plaintiff has also filed a motion for leave to proceed *in forma pauperis* in this action. (Doc. No. 2.) Although the plaintiff submitted an affidavit in support of his motion for leave to proceed *in forma pauperis*, it is not accompanied by the requisite account information from the account clerk at the Lee County Detention Center, where the plaintiff is currently incarcerated. Pursuant to the fee provisions of 28 U.S.C. § 1915(b)(1), this court requires a plaintiff to submit an inmate account statement reflecting the average monthly balance in his prison account and the average monthly deposits to his account for the six-month period immediately preceding the filing of a complaint. The plaintiff shall therefore be granted additional time to provide this court with current information regarding his inmate account so the court may determine whether he should be allowed to proceed *in*

¹*Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).

forma pauperis in this cause of action.

Accordingly, it is hereby

ORDERED that on or before June 20, 2012, the plaintiff shall file either (1) a prison account statement from the account clerk at the Lee County Detention Center showing the average monthly balance in the plaintiff's prison account for the six-month period immediately preceding the filing of this complaint and the average monthly deposits to the plaintiff's account during the past six months **or** (2) the \$350.00 filing fee.

The plaintiff is cautioned that his failure to comply with this order will result in a recommendation that this case be dismissed.

The Clerk of Court is DIRECTED to send a copy of this order to the account clerk at the Lee County Detention Center.

Done this 31st day of May, 2012.

/s/ Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE