

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

LORENZO NEAL BILLINGSLEY,)
)
) Plaintiff,)
)
v.) CIVIL ACTION NO. 2:17CV862-WHA
) (WO)
)
ROBERT PARKER,)
et al.,)
) Defendants.)

ORDER

This cause is now before the court on Plaintiff's Motion for Additional Time to File Objection to the Recommendation to Dismiss (Doc. #8).

The Plaintiff was ordered on January 10, 2018 to pay a partial filing fee and instructed that if he could not procure the funds within the time allowed, he should seek an extension of time. (Doc. #3). No filing fee was paid in the time allowed, and no extension of time sought for payment of the filing fee. The Magistrate Judge recommended dismissal without prejudice for failure to pay the initial partial filing fee. No objections were filed to the Recommendation of the Magistrate Judge that the case be dismissed without prejudice. The Plaintiff's case was dismissed without prejudice on March 20, 2018, for his failure to comply with the Order that he submit an initial partial filing fee. (Doc. #6).

On March 30, 2018, the Plaintiff submitted a filing fee, which was accepted by the court. On April 5, 2018, he moved for additional time to file objections and explained that various of the court's previous orders were not forwarded to him when he was transferred to a different institution.

Upon consideration of the Motion and the explanation for his failure to timely pay the partial fee, it is hereby ORDERED as follows:

1. The Motion for Additional time is GRANTED to the extent that the court will vacate the previous Final Order and Judgment.
2. The court's Order and Judgment (Doc. #5, 6) are VACATED.

DONE this 9th of April, 2018.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE