

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MARCUS MONTEZ SPANGLER,)	
)	
Plaintiff,)	
)	Civil Action Number
v.)	2:21-CV-00965-AKK-GMB
)	
COI KELLER SPEAKS, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

The magistrate judge filed a report on October 5, 2021, recommending that the court dismiss Marcus Montez Spangler’s *pro se* complaint for failing to pay an initial filing fee and to return a signed Prisoner Consent Form within 30 days. *See* doc. 9 (citing doc. 8). Spangler timely filed an objection, asserting that he “sent the consent form along with a request asking the clerk . . . to withdraw the money from [his] account and send [it] to the court.” Doc. 10 at 1. He further states that the prison has been intercepting the letters he sends to the courts. *See id.*

Having reviewed and considered *de novo* the court file, in light of Spangler’s claim that he did in fact attempt to send a Prisoner Consent Form and authorize the withdrawal of money from his account, the court will give Spangler another opportunity to submit a signed Prisoner Consent Form and to pay the initial filing

fee in accordance with the court's earlier order, doc. 8.¹ Accordingly, the report and recommendation, doc. 9, is **REJECTED**, and Spangler is **ORDERED** to return a signed Prisoner Consent Form and to pay the initial filing fee of \$139.70 by **December 2, 2021**. Failure to follow these requirements will result in dismissal of the complaint. The clerk is **DIRECTED** to include another copy of Spangler's Prisoner Consent Form, *see* doc. 8, with this order.

DONE the 19th day of November, 2021.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE

¹ In this order, the magistrate judge assessed an initial partial filing fee of \$139.70 and required Spangler to make regular payments thereafter until the entire filing fee of \$350.00 is paid in full, pursuant to 28 U.S.C. § 1915(b)(1) and (2). *See* doc. 8 at 1.