

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

STANLEY L. BROWN, :
 :
 Plaintiff, :
 :
 vs. : CIVIL ACTION 09-0064-KD-C
 :
 WARDEN GOODMAN, et al., :
 :
 Defendants. :

ORDER

Plaintiff's Motion to Proceed Without Prepayment of Fees (Doc. 2) did not have attached a copy of the institutional record of his inmate account reflecting transactions in his account for the six-month period immediately preceding the filing of his complaint on February 6, 2009. See 28 U.S.C. § 1915 (a)(2). Plaintiff merely submitted a recapitulation of his account's averages, which does not reflect the transactions in his account as required by statute. Therefore, Plaintiff's Motion to Proceed Without Prepayment of Fees (Doc. 2) is DENIED without prejudice.

Plaintiff is GRANTED leave to re-file his Motion to Proceed Without Prepayment of Fees by March 19, 2009, with the statutorily required copy of the institutional record of his inmate account reflecting transactions in his account for the six-month period immediately preceding the filing of his complaint attached, see 28 U.S.C. § 1915(b)(2), or to pay the \$350.00 filing fee by March 19, 2009. The failure to comply with this order within the prescribed time will result in the dismissal of this action for failure to prosecute and to comply with the Court's

order.

The Clerk is DIRECTED to send Plaintiff a form for a motion to proceed without prepayment of fees.

DONE this 17th day of February, 2009.

s/WILLIAM E. CASSADY
UNITED STATES MAGISTRATE JUDGE