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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Monty Dukepoo,

Plaintiff,

vs.

Officer Prewitt, et al.,

Defendants.

No. CV 10-1216-PHX-RCB (MHB)

ORDER

Plaintiff Monty Dukepoo is confined in the Arizona State Prison Complex-Eyman in Florence, Arizona. In a June 15, 2010 Order, the Court denied without prejudice Plaintiff's deficient Application to Proceed and gave Plaintiff 30 days to pay the fee or file a complete Application to Proceed *In Forma Pauperis*.

On July 13, 2010, Plaintiff filed a Letter (Doc. 5) seeking an extension of time to pay his filing fee.

I. Plaintiff's Letter

First, it is improper for a party to communicate directly with court personnel.¹ Simply mailing a letter to the Clerk of Court, the judge, or any court personnel is unacceptable. Any request for action by the Court must be in the form of a motion that complies with the Rules of Practice of the United States District Court for the District of Arizona (the Local Rules).

¹Plaintiff addressed his letter to former United States Supreme Court Justice Sandra Day O'Connor. The United States Courthouse in Phoenix, Arizona, is named after Justice O'Connor, but she is not a judge on this Court.

1 Any future letters directed to the Clerk of Court, the judge, or any court personnel will not
2 be filed, will be stricken from the record, and will be returned to Plaintiff. Second, in
3 resolution of Plaintiff's Letter, the Court will grant Plaintiff an extension of time to comply
4 with the Court's June 15th Order.

5 **II. Warnings**

6 **A. Address Changes**

7 Plaintiff must file and serve a notice of a change of address in accordance with Rule
8 83.3(d) of the Local Rules of Civil Procedure. Plaintiff must not include a motion for other
9 relief with a notice of change of address. Failure to comply may result in dismissal of this
10 action.

11 **B. Copies**

12 Plaintiff must submit an additional copy of every filing for use by the Court. See
13 LRCiv 5.4. Failure to comply may result in the filing being stricken without further notice
14 to Plaintiff.

15 **C. Possible Dismissal**

16 If Plaintiff fails to timely comply with every provision of this Order, including these
17 warnings, the Court may dismiss this action without further notice. See *Ferdik v. Bonzelet*,
18 963 F.2d 1258, 1260-61 (9th Cir. 1992) (a district court may dismiss an action for failure to
19 comply with any order of the Court).

20 **IT IS ORDERED:**

21 (1) Plaintiff's Letter (Doc. 5), to the extent it seeks an extension of time, is
22 **granted**.

23 (2) Within 30 days of the date this Order is filed, Plaintiff must either pay the
24 \$350.00 filing fee **or** file a complete Application to Proceed *In Forma Pauperis* and a
25 certified six-month trust account statement from **each institution** where he was confined
26 during the six-month period preceding the filing of the Complaint.

1 (3) If Plaintiff fails to either pay the \$350.00 filing fee or file a complete
2 Application to Proceed *In Forma Pauperis* within 30 days, the Clerk of Court must enter a
3 judgment of dismissal of this action without prejudice and without further notice to Plaintiff.

4 DATED this 25th day of July, 2010.

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8 Robert C. Broomfield
9 Senior United States District Judge
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