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

Corey Demetries Roehl,
Plaintiff,
vs.
Joseph M. Arpaio, et al.,
Defendants.

No. CV 10-2424-PHX-GMS (LOA)
ORDER TO SHOW CAUSE

Plaintiff Corey Demetries Roehl, who was formerly confined in the Arizona State Prison-Phoenix, has filed a *pro se* Complaint pursuant to 42 U.S.C. § 1983. Plaintiff was granted leave to proceed *in forma pauperis* and assessed the statutory filing fee of 350.00. (Doc. 5). On September 12, 2011, Plaintiff filed a “Motion for a 60 Day Stop Payment” in which he notified the Court that he has been released and requests a 60-day “hold” on his filing fee payments. Plaintiff was cautioned that in the event of his release, he would be required to pay the balance of the filing fee within 120 days or show cause why he cannot pay. Currently, Plaintiff owes \$149.06 towards the fee.

Because Plaintiff is no longer in custody, the Court cannot “hold” or stay the collection of his partial fee payments because there is no mechanism for the Court to collect partial payments of the filing fee. Accordingly, the Court will deny Plaintiff’s Motion for a 60 Day Stop Payment. However, Plaintiff will be given 30 days from the date this Order is filed to either pay the \$149.06 balance of the filing fee or file a “Response” to this Order.

1 **Plaintiff's Response must state the date of his release and must either promise to pay**
2 **the unpaid balance of the filing fee within 120 days from the date of his release or show**
3 **good cause why he cannot pay the outstanding balance of the filing fee.** Plaintiff's
4 Response must be made under penalty of perjury. See 28 U.S.C. § 1746 (oath requirement
5 may be satisfied when a person declares under penalty of perjury that the submission is true
6 and correct and signs and dates the document).

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

11 **IT IS ORDERED:**

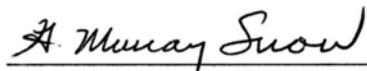
12 (1) The reference to the Magistrate Judge is withdrawn only with respect to
13 Plaintiff's Motion for a 60 Day Stop Payment (Doc. 21). All other matters in this action
14 remain with the Magistrate Judge for disposition as appropriate.

15 (2) Plaintiff's Motion for a 60 Day Stop Payment (Doc. 21) is **denied**.

16 (3) Within **30 days** from the date this Order is filed, Plaintiff must either pay the
17 \$149.06 balance of the \$350.00 filing fee **OR** file a Response as described above.

18 (4) If Plaintiff fails to pay the balance of the filing fee **or** file a Response to this
19 Order within 30 days, the Clerk of Court must enter a judgment of dismissal of this action
20 without prejudice.

21 DATED this 13th day of October, 2011.

22
23 
24 _____
G. Murray Snow
United States District Judge