

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

HENRY DEWITT,

Plaintiff,

v.

Case No: 2:17-cv-450-FtM-38CM

RICK SCOTT, MIKE CAROL, JERRY
BOYAL and DONALD SAWYER,

Defendants.

OPINION AND ORDER¹

This matter comes before the Court upon periodic review of the file. On August 3, 2017, this Court issued a standing order explaining that a pro se prisoner has thirty days from the date the action is initiated to either pay the filing fee or move for leave to proceed in forma pauperis. ([Doc. #6](#)). As the Order stated, under Local Rule 1.03(e) (M.D. Fla. 2010), the case is subject to dismissal sua sponte if the filing fee is not paid or the application is not filed within thirty days of commencement of the action.

More than thirty days have passed since the Plaintiff initiated the action on July 31, 2017, and since the action was transferred to this Court on August 2, 2017. As of the date of this Order, Plaintiff has not paid the filing fee or filed for leave to proceed as a

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pauper. Thus, this action is due to be dismissed under the terms of the Court's Order and Local Rule 1.03(e).

Accordingly, it is now

ORDERED:

1. Plaintiff's Complaint is hereby **DISMISSED** without prejudice for the reasons stated herein.
2. The Clerk of the Court shall enter judgment accordingly, terminate any pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 21st day of September, 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies:
Henry Dewitt
All Counsel of Record
SA: FtMP-2