

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

DAVID LEE HALL,

Plaintiff,

v.

CASE NO. 6:06-cv-926-Orl-19DAB

CHIEF WARDEN, et al.,

Defendants.

ORDER

This case is before the Court on the following matters:

1. The Order of August 4, 2006, dismissing this case is **VACATED**. The Clerk of the Court is directed to reopen this case.

2. Plaintiff, confined in a Florida prison and proceeding *pro se*, filed an amended civil rights complaint pursuant to 42 U.S.C. § 1983 (Doc. No. 6, filed July 31, 2006). Plaintiff alleges that his right to access the courts has been violated due to mail tampering at the Tomoka Correctional Institution.

Pursuant to 42 U.S.C. § 1997e(a), a prisoner must exhaust his administrative remedies before pursuing a civil rights complaint:

(a) Applicability of administrative remedies

No action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.

It appears that the instant complaint is subject to dismissal because Plaintiff states that he has failed to exhaust his administrative remedies as required by § 1997e(a). Accordingly, Plaintiff shall show cause within **ELEVEN (11) DAYS** from the date of this Order why this action should not be dismissed for the reasons set forth above. **Plaintiff is advised that the failure to comply with the provisions of this Order will result in dismissal of this action without further notice.**

DONE AND ORDERED at Orlando, Florida this 14th day of August, 2006.

A handwritten signature in black ink, reading "Patricia C. Fawsett", written over a horizontal line.

PATRICIA C. FAWSETT, CHIEF JUDGE
UNITED STATES DISTRICT COURT

Copies to:
sa 8/14
David Lee Hall