

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**MYRLANDE NAPOLEON,
Plaintiff,**

-vs-

Case No. 6:06-cv-1313-Orl-18KRS

**PLANTATION BAY REHAB CENTER,

Defendant.**

SUPPLEMENTAL BRIEFING ORDER

This cause came on for consideration without oral argument on the application to proceed without prepayment of fees filed by Plaintiff Myrlande Napoleon. Doc. No. 2. Pursuant to *Martinez v. Kristi Kleaners, Inc.*, 364 F.3d 1305, 1307 (11th Cir. 2004), the Court must consider both the applicant's assets and liabilities to determine whether the applicant "is unable to pay for the court fees and costs, and to support and provide necessities for himself and his dependants."

The affidavit submitted by Napoleon indicates that she is currently employed. However, it does not indicate the amount of her salary or wages. Also, it does not contain a complete statement of her liabilities, including monthly expenses.

Accordingly, it is **ORDERED** that Napoleon shall supplement her application with a sworn statement setting forth the amount she receives in salary or wages from her current employer, and her liabilities, including monthly expenses. The supplemental application shall be filed on or before September 22, 2006. Failure to file a complete supplemental application by this date will result in a recommend that the motion to proceed in forma pauperis be denied and the complaint dismissed without further notice.

DONE and **ORDERED** in Orlando, Florida on September 8, 2006.

Karla R. Spaulding

KARLA R. SPAULDING
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties