

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

RICHARD JEROME SMITH,

Plaintiff,

v.

CASE NO. 6:13-cv-1196-Orl-37KRS

BREVARD COUNTY JAIL,

Defendant.

_____ /

ORDER

Plaintiff, a prisoner incarcerated at the Brevard County Jail and proceeding *pro se*, filed a complaint on August 7, 2013 (Doc. No. 1). Plaintiff filed what purports to be a civil rights complaint, but he failed to either pay the required \$350 filing fee or submit a motion for leave to proceed *in forma pauperis*. Additionally, the complaint is not written on the form required for use by *pro se* litigants.

As currently written, the complaint, which is written as a letter, fails to contain much of the information required in a civil rights complaint. For example, the allegations are vague and conclusory, the defendants in this case are not properly identified, and the historical information concerning Plaintiff's prior federal cases has not been provided.


If Plaintiff chooses to file a civil rights complaint in this Court to address any alleged constitutional violations, he must submit a fully completed civil rights

complaint form, and he must submit a copy of the form for each Defendant for service of process. If Plaintiff desires to proceed in forma pauperis in this Court, he must submit a fully completed affidavit of indigency. The Clerk's Office shall send to Plaintiff both the form for a civil rights complaint and the form for a motion for leave to proceed in forma pauperis. Plaintiff should not place this case number on the form, as the Clerk of the Court will assign a separate case number.

This case will be dismissed without prejudice to give Plaintiff the opportunity to properly file a civil rights complaint and to either pay the appropriate filing fee or submit an affidavit of indigency to the Court.

Accordingly, it is now **ORDERED AND ADJUDGED** that this case is hereby **DISMISSED** without prejudice. The Clerk of the Court is directed to close this case and to enter judgment dismissing this case without prejudice.

DONE AND ORDERED in Chambers in Orlando, Florida, this 8th day of August, 2013.



ROY B. DALTON JR.
United States District Judge

Copies to:

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Richard Jerome Smith