

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

HERBERT MARTINEZ,

Plaintiff,

v.

Case No: 8:14-cv-215-T-30MAP

KURT HEINTZMANN, STEVEN  
TONER, ANTHONY SCAGLIONE,  
LISA HERNDON, FRANK MARTINEZ,  
VICKIE MARTINEZ, MICHAEL  
BECKWITH, BRYAN FAULKINGHAM,  
GISELLE DEPIERO, WILLIAM  
POWERS, AL NIENHUIS and BRAD  
KING,

Defendants.

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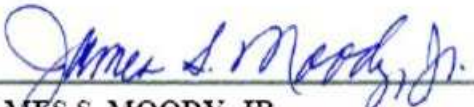
**ORDER**

Plaintiff, a prisoner proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 (Dkt. #1) and a Motion for Leave to Proceed *in forma pauperis* (Dkt. #2). This Court entered an Order denying Plaintiff's Motion to Proceed *in forma pauperis* and directing Plaintiff to file an Amended Complaint. (Dkt. #4) Plaintiff filed his Amended Complaint (Dkt. #5). He also filed an Emergency Motion for Miscellaneous Relief to Waive PACER fees (Dkt. #6) on the basis of his indigency and financial hardship, but did not file a renewed Motion for Leave to Proceed *in forma pauperis* or pay the \$400.00 filing fee.

It is therefore ORDERED and ADJUDGED that:

1. Plaintiff shall, within fourteen (14) days from the date of this Order, either submit the \$400.00 filing fee or properly complete and file a renewed Motion for Leave to Proceed *in forma pauperis* and Affidavit of Indigency. Failure to do so will result in the **dismissal** of this action **without further notice**.
2. Plaintiff's Emergency Motion to Waive PACER fees (DKT. #6 ) is DENIED.

**DONE** and **ORDERED** in Tampa, Florida, this 29th day of April, 2014.

  
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JAMES S. MOODY, JR.  
UNITED STATES DISTRICT JUDGE

Copies furnished to:  
Counsel/Parties of Record

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