

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

JEFFREY HOUSTON, *pro se*,

Plaintiff,

v.

Case No: 8:15-cv-223-T-30AEP

BAYFRONT HOSPITAL, et al.,

Defendants.

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**ORDER**

Plaintiff, an inmate at the Pinellas County Jail, initiated this action by filing a civil rights complaint pursuant to 42 U.S.C. § 1983. More than thirty days have elapsed since Plaintiff filed his complaint, and he has not paid the filing fee or filed a motion to proceed *in forma pauperis*.<sup>1</sup> See M.D. Fla. L.R. 1.03(e) (“The Clerk shall accept for filing all prisoner cases filed with or without the required filing fee or application to proceed in forma pauperis. However, a prisoner case will be subject to dismissal by the Court, sua sponte, if the filing fee is not paid or if the application is not filed within 30 days of the commencement of the action.”).


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<sup>1</sup>The Court notes that Plaintiff would not be permitted to proceed *in forma pauperis* in this matter under 28 U.S.C. § 1915(g) because he has not alleged *facts* showing that he is under imminent danger of serious physical injury and he has had three or more cases dismissed on grounds that they were frivolous, malicious, or failed to state a claim upon which relief may be granted: (1) *Houston v. Hollaway*, 8:96-cv-219-T-21 (M.D. Fla. 1996); (2) *Houston v. Coston*, 8:96-cv-222-T-2 (M.D. Fla. 1996); and (3) *Houston v. Pinellas Cnty. Sheriff’s Office Det. & Corr. Bureau*, 8:09-cv-491-T-17MAP (M.D. Fla. 2009) (appeal).

Accordingly, it is therefore **ORDERED AND ADJUDGED** that:

1. This action is dismissed without prejudice to the filing of a new complaint, in a new case, with a new case number, upon the payment of the \$400.00 filing fee.
2. The Clerk is directed to close this case.

**DONE** and **ORDERED** in Tampa, Florida, this 10th day of March, 2015.

  
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**JAMES S. MOODY, JR.**  
**UNITED STATES DISTRICT JUDGE**

Copies furnished to:  
Counsel/Parties of Record

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