

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

BILLY R. CHANCE,

Plaintiff,

vs.

CASE NO. 1:09cv79-MP/AK

STATE OF FLORIDA, et al,

Defendants.

_____ /

ORDER

This cause is before the Court upon referral from the Clerk of Court. Plaintiff, proceeding *pro se*, has filed a civil rights complaint under 42 U.S.C. § 1983. (Doc. 1). Local court rules provide that no "civil action commenced by *pro se* litigants under 42 U.S.C. § 1983, 28 U.S.C. §§ 1331, or 1346, shall be considered by the court unless the appropriate forms have been properly completed and filed by the litigant." N.D. Fla. Loc. R. 5.1(J)(2). Plaintiff must, therefore, submit an "amended complaint," clearly designated as such, on court forms which will be provided to her by the Clerk of Court.

As a secondary problem, Plaintiff has failed to file a motion to proceed in forma pauperis and submit the inmate account information required or pay the filing fee.

As a final note, Plaintiff has filed a motion to expedite his case, (doc. 3), which is DENIED. His case will not proceed until he complies with this Order and files a

complaint on the proper forms and provides the necessary information to proceed.

ORDERED:

1. The Clerk of Court is directed to forward to Plaintiff two (2) § 1983 complaint forms for prisoners, as well as a form motion for leave to proceed IFP.

2. Plaintiff shall have until **April 30, 2009**, to file an amended complaint on the proper forms, and either: (1) file a motion for IFP, or (2) pay the full \$350.00 filing fee.

3. Plaintiff's Motion to Expedite (doc. 3) is **DENIED**.

4. **Failure to respond to this order as instructed will result in a recommendation of dismissal of this action for failure to prosecute and failure to comply with an order of this court.**

DONE AND ORDERED this 2nd day of April, 2009.

s/ A. KORNBLUM

ALLAN KORNBLUM
UNITED STATES MAGISTRATE JUDGE