

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

WILLIE YOUNG,

Plaintiff,

v.

CASE NO. 1:11-cv-205-MP-GRJ

ALACHUA COUNTY JAIL,

Defendant.

_____ /

ORDER

Before the Court is a letter from Plaintiff requesting the status of his case and requesting the Clerk to resend him documents pertaining to this case. (Doc. 6.)

Plaintiff originally was in the custody of the Florida Department of Corrections (“FDOC”) when he filed this case, but in his letter he states he was taken out of FDOC custody for some unspecified reason and then recently returned to FDOC custody. Plaintiff requests that the Court resend him any documents previously sent by the Clerk while he was out of FDOC custody claiming that he did not receive any of those documents.

This Court entered an order on September 29, 2011 instructing Plaintiff either to pay the \$350.00 filing fee or move for leave to proceed as a pauper on or before October 14, 2011. (Doc. 3.) A blank copy of the Court’s motion to proceed as a pauper for prisoner litigants accompanied this order. The Court’s September 29, 2011 order was returned undeliverable despite two attempts to send the order and the accompanying blank motion to proceed as a pauper to Plaintiff. (Docs. 4 and 5.) Because of Plaintiff’s apparent difficulties in receiving mail, the Clerk will be instructed to resend the Plaintiff a copy of the Court’s September 29, 2011 order one final time.

Plaintiff is warned he is ultimately responsible for keeping the Clerk apprised of his address should it change again at any point. Plaintiff has failed to pay the \$350.00 filing fee or file a motion for leave to proceed as a pauper. Pursuant to N.D. Fla. Loc. R. 5.1(H), “[a] civil action shall not be filed by the clerk until the fee is paid . . . unless the complaint or petition is accompanied by a motion for leave to proceed *in forma pauperis* [IFP].” Accordingly, Plaintiff must either pay the filing fee or file a motion to proceed *in forma pauperis* before this case will be allowed to proceed.

Accordingly, it is **ORDERED**:

- (1) The **Clerk** is directed to send Plaintiff a blank motion to proceed *in forma pauperis* for use by a prisoner, a copy of Doc. 6, and a blank Notice of Change of Address form.
- (2) Plaintiff shall either pay the \$350.00 filing fee or move for leave to proceed as a pauper **on or before January 13, 2012**.
- (3) Failure to comply with this order within the allotted time will result in a recommendation that this case be dismissed.

DONE AND ORDERED this 23rd day of December 2011.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge