

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

ORLANDO BETHEL, et al.,
Plaintiffs,

vs.

Case No. 3:09cv432/RV/EMT

ESCAMBIA COUNTY FLORIDA, et al.,
Defendants.

ORDER

This matter is before the court on Plaintiff Orlando Bethel's motion for leave to proceed in forma pauperis (Doc. 2).

Upon review of the motion and attached financial affidavit, the court concludes that Plaintiff has failed to provide sufficient information for the court to grant the motion. For example, in the affidavit of financial status, Plaintiff indicates that he has a monthly income in the amount of \$1,050.00 but does not show expenses. Additionally, Plaintiff has failed to provide the actual address of his current residence, as the form requires. An "in care of" mailing address, such as Plaintiff has supplied, is insufficient.

In order to proceed with this case, Plaintiff must either pay the full filing fee of \$350.00 or file a properly completed in forma pauperis application.¹ If he chooses to submit a new in forma pauperis application, he should provide his best estimate of his monthly income and expenses so the court has sufficient information upon which to consider his eligibility to proceed in forma pauperis.

¹ If the court concludes that the filing fee must be prepaid in full before this case may proceed, only one such fee totaling \$350.00 is due, regardless of whether it is paid by Plaintiff Orlando Bethel or his co-plaintiff, Plaintiff Glynis Bethel.

Accordingly, it is **ORDERED**:

1. The clerk of court is directed to send Plaintiff Orlando Bethel a copy of the forms for non-prisoner pro se parties to request leave to proceed in forma pauperis. This case number shall be written on the forms.

2. Plaintiff's motion to proceed in forma pauperis (Doc. 2) is **DENIED WITHOUT PREJUDICE**. Within **THIRTY (30) DAYS** from the date of docketing of this order, Plaintiff shall pay the full \$350.00 filing fee, or submit a motion to proceed in forma pauperis with a properly completed affidavit of financial status.

3. Failure to comply with this order may result in a recommendation of dismissal of this action.

DONE AND ORDERED this 30th day of September 2009.

/s/ Elizabeth M. Timothy _____

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE