

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

CAESAR WHITE, JR.,
Plaintiff,

vs.

Case No. 3:09cv574/LAC/EMT

SUSAN NELMS, et al.,
Defendants.

ORDER

This cause brought pro se is before the court on Plaintiff's response to the court's order to show cause why this action should not be dismissed for Plaintiff's failure to comply with the order to pay the filing fee in full (*see* Docs. 14, 18, and 19). The court concludes that the reasons advanced by Plaintiff in his response do not demonstrate good cause for his failure to comply. Nevertheless, to accord Plaintiff the leniency generally afforded pro se litigants, the court will give Plaintiff one final opportunity to establish that he is entitled to proceed in forma pauperis in this action by filing a fully and properly completed motion. Plaintiff is reminded that the Affidavit of Financial Status is signed under penalty of perjury. In the alternative to filing an application to proceed in forma pauperis, Plaintiff may pay the \$350.00 filing fee in full.

Accordingly, it is **ORDERED**:

1. The clerk of court is directed to send Plaintiff a copy of the form for non-prisoner pro se parties to request leave to proceed in forma pauperis. This case number should be written on the form.
2. Within **THIRTY (30) DAYS** from the date of docketing of this order, Plaintiff shall (1) pay the filing fee of \$350.00, or (2) submit a fully completed motion to proceed in forma pauperis.

3. Plaintiff's failure to comply with this order as instructed will result in a recommendation that this case be dismissed for failure to comply with an order of the court.

DONE AND ORDERED this 3rd day of May 2010.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE