

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

WILLIAM N. TAYLOR, JR.,
Plaintiff,

vs.

Case No. 3:10cv338/MCR/EMT

DAVID MORGAN, et al.,
Defendants.

ORDER

Plaintiff initiated this action by filing a civil rights complaint under 42 U.S.C. § 1983 and a motion for leave to proceed in forma pauperis (Docs. 1, 2).

In his application for leave to proceed in forma pauperis, Plaintiff states that he has been incarcerated at the Escambia County Jail for fewer than six months (Doc. 2 at 2). While Plaintiff's jail bank account reflects that he currently has an outstanding debt of \$445.91 (*id.* at 4), Plaintiff also acknowledges that he has \$5,000.00 in another bank account, is entitled to receive a monthly disability check in the amount of \$1,623.00, and, apparently, anticipates receiving \$2000.00 in book royalties (*id.* at 6). Although Plaintiff also reports debts or financial obligations exceeding \$350,000, including for his wife's medical expenses (*id.*), based on the information provided by Plaintiff which reflects significant assets, the court cannot conclude that he is entitled to proceed as a pauper. Rather, it appears that Plaintiff should have sufficient funds to pay the filing fee in full. If Plaintiff contends otherwise, he may submit an amended application in which he explains to the court in detail the reasons for his asserted inability to pay the filing fee.

Accordingly, it is **ORDERED**:

1. Plaintiff's motion to proceed in forma pauperis (Doc. 2) is **DENIED** without prejudice.

2. The clerk shall send Plaintiff a motion to proceed in forma pauperis and a prisoner consent form and financial certificate approved for use in the Northern District. This case number should be written on the forms.

3. Within **THIRTY (30) DAYS** from the date of docketing of this order Plaintiff shall (1) pay the \$350.00 filing fee, or (2) submit a completed motion to proceed in forma pauperis with the requisite prisoner consent form, a financial certificate signed by a prison official, and an attached computer printout of the transactions in his prison account during the preceding six-month period.

4. Failure to comply with this order as instructed may result in a recommendation that this case be dismissed for failure to comply with an order of the court.

DONE AND ORDERED this 14th day of September 2010.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE