

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

DERREL THOMAS, JR,

Plaintiff,

v.

CASE NO. 4:11-cv-46-MP-GRJ

SECRETARY BUSS, and  
JORAM PEREZ,

Defendants.

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**ORDER**

The Court previously directed Plaintiff to pay an initial partial filing fee of \$17.89 based on the inmate account information previously provided. (Doc. 5.) The fee was due by March 4, 2011 and as of this date the fee has not been paid. The Court issued an Order To Show Cause on March 28, 2011 providing Plaintiff until April 15, 2011 to show cause why this action should not be dismissed for failure to comply with an Order of this Court. (Doc. 6.)

In his response to the show cause order in a document entitled "Motion To Show Cause" Plaintiff represents that his family has relocated and, due to this relocation, Plaintiff has been unable to inform them of the time period within which he must pay the partial filing fee of \$17.89. (Doc. 7.) Plaintiff also represents that he has not received any monies from his family and that Plaintiff is currently unable to pay the initial filing fee due to his financial problems. Plaintiff has not paid the filing fee or filed any documents advising the Court of the status of his attempts to pay the partial initial filing fee since April. Accordingly, the Court will give Plaintiff until **September 23, 2011** to

either pay the partial initial filing fee of \$17.89 or advise the Court in writing why he is unable to pay the partial initial filing fee of \$17.89, failing which the Court will recommend that the case be dismissed.

Accordingly, it is hereby **ORDERED**:

1. Plaintiff shall either pay the partial initial filing fee of \$17.89 or advise the Court in writing why he is unable to pay the partial initial filing fee of \$17.89 on or before **September 23, 2011**.
2. Failure to comply with this Order within the time allotted will result in a recommendation to the district judge that this cause be dismissed for failure to comply with an Order of this Court and for failure to prosecute.

**DONE AND ORDERED** this 8<sup>th</sup> day of September, 2011.

*s/ Gary R. Jones*

GARY R. JONES  
United States Magistrate Judge