

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

ANTHONY LEON SCHILLER,

Plaintiff,

v.

CASE NO.: 4:11-cv-405-SPM/WCS

N.E. MERCER, et al.,

Defendants.

ORDER OF REFERENCE

On August 24, 2011, the Magistrate Judge issued an order (doc. 4) directing Plaintiff to either pay the filing fee or submit an *in forma pauperis* motion. Plaintiff did not respond to that order. Therefore, on October 21, 2011, the Magistrate Judge issued a Report and Recommendation (doc. 5) which recommended dismissal of Plaintiff's case for failure to prosecute and failure to comply with a court order. Plaintiff objected to that recommendation (doc. 6) indicating that he has attempted to obtain his account statements from the Liberty Correctional Institution, but has been unsuccessful in doing so.

Accordingly, it is hereby

ORDERED AND ADJUDGED that the clerk shall refer this case back to Magistrate Judge William C. Sherrill, Jr. for consideration of Plaintiff's concerns

regarding his account statements.

DONE AND ORDERED this 10th day of January, 2012.

S/ Stephan P. Mickle

Stephan P. Mickle

Senior United States District Judge