

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

DONALD L. SYKES,
Plaintiff,

vs.

Case No. 5:07cv16/RS/EMT

DR. CIUNGU, et al.,
Defendants.

ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS

This cause is before the court upon Plaintiff's filing a civil rights complaint under 42 U.S.C. § 1983 and a "Motion and Affidavit of Insolvency" (Docs. 1, 2). The court notes that Plaintiff failed to file his motion to proceed in forma pauperis on the proper form with the requisite supporting documentation. To be entitled to proceed without prepayment of the filing fee, Plaintiff must file an application for leave to proceed in forma pauperis on the court-approved form, and he must file supporting documentation for his motion to proceed in forma pauperis, specifically, a prisoner consent form and financial certificate with an attached copy of his trust fund account statement covering the six month period preceding the filing of the complaint. Therefore, the motion will be denied without prejudice to Plaintiff's refiling a complete motion with the required supporting documentation. Additionally, Plaintiff is advised that no further action will occur in this case until the matter of the filing fee is resolved.

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.

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 and financial certificate, including an attached computer printout of the transactions in his prison account for 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 29th day of January 2007.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE