

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

ROLANDO HENDERSON,
Plaintiff,

vs.

Case No. 5:08cv283/RS/EMT

DOCTOR LORD, et al.,
Defendants.

ORDER

This cause is before the court upon Plaintiff's filing a civil rights complaint under 42 U.S.C. § 1983 and a motion to proceed in forma pauperis (Docs. 1, 2).

Plaintiff's application to proceed in forma pauperis shall be denied, without prejudice, as it is incomplete. A prisoner seeking to bring a civil action without prepayment of the filing fee must submit a financial certificate signed by a prison official with an attached copy the inmate's trust fund account statement for the six-month period immediately preceding the filing of the complaint. *See* 28 U.S.C. § 1915(a)(2). In this case, as the complaint was filed September 8, 2008 (*see* Doc. 1 at 8), the period involved is from March 8, 2008, through September 8, 2008. Although Plaintiff submitted a printout from his inmate account, the printout shows the activity in his account from December 8, 2007 through June 8, 2008. Before this matter may proceed, Plaintiff must either pay the filing fee of \$350.00 or obtain leave to proceed in forma pauperis by filing a fully and properly completed application and attachments. No further action will occur in this case until the matter of the filing fee is resolved.

Accordingly, it is **ORDERED**:

1. Plaintiff's application to proceed in forma pauperis (Doc. 2) is **DENIED** without prejudice.
2. The clerk is directed to forward an in forma pauperis application to Plaintiff.

3. Within **THIRTY (30) DAYS** from the date of docketing of this order, Plaintiff shall either pay the filing fee of \$350.00 or submit a fully completed application to proceed in forma pauperis, including a financial certificate signed by a prison official and an attached copy of Plaintiff's trust fund account statement for the period March 8, 2008 through September 8, 2008.

4. Plaintiff's failure to comply with this order may result in the dismissal of this case.
DONE AND ORDERED this 16th day of September 2008.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE