

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

LESTER STEVEN GLENN,
Plaintiff,

vs.

Case No. 5:09cv296/RH/MD

WALTER MCNEIL, et al.,
Defendants.

REPORT AND RECOMMENDATION

This cause is before the court upon referral from the clerk. Plaintiff commenced this action on September 1, 2009 by filing a civil rights complaint under 42 U.S.C. § 1983 (doc. 1) and a motion for leave to proceed *in forma pauperis* (doc. 2). On September 14, 2009, the court entered an order finding plaintiff's motion to proceed *in forma pauperis* deficient, because plaintiff failed to provide a printout reflecting transactions in his inmate trust account for the 6-month period preceding the filing of his complaint. (Doc. 5). Plaintiff was ordered to correct the deficiency within thirty (30) days, or in the alternative, pay the full \$350.00 filing fee within the same time period. (*Id.*).

After receiving no response from plaintiff, this court entered an order on October 27, 2009 directing plaintiff to show cause within twenty (20) days why this case should not be dismissed for failure to comply with an order of the court (doc. 6). To date, plaintiff has not responded.

Accordingly, it is respectfully RECOMMENDED:

1. That this case be dismissed without prejudice for plaintiff's failure to comply with an order of the court.

2. That the clerk be directed to close the file.

At Pensacola, Florida, this 18th day of December, 2009.

/s/ *Miles Davis*

**MILES DAVIS
UNITED STATES MAGISTRATE JUDGE**

NOTICE TO THE PARTIES

Any objections to these proposed findings and recommendations must be filed within fourteen days after being served a copy thereof. *Any different deadline that may appear on the electronic docket is for the court's internal use only, and does not control.* A copy of objections shall be served upon all other parties. Failure to object may limit the scope of appellate review of factual findings. See 28 U.S.C. § 636; *United States v. Roberts*, 858 F.2d 698, 701 (11th Cir. 1988).