

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

KEVIN M. TAYLOR,
Plaintiff,

vs.

Case No. 5:09cv304/RS/MD

B. GORDAN, et al.,
Defendants.

ORDER

This cause is before the court upon plaintiff's response (doc. 8) to an order to show cause (doc. 7) issued on November 18, 2009.

On October 9, 2009 this court entered an order (doc. 6) granting plaintiff leave to proceed *in forma pauperis* and assessing an initial partial filing fee of \$8.33 to be paid within thirty days. Thirty days elapsed, and plaintiff did not pay the initial partial filing fee.

Accordingly, on November 18, 2009 this court entered an order (doc. 7) directing plaintiff to show cause why his case should not be dismissed for failure to comply with an order of the court. Plaintiff now responds (doc. 8) by submitting an updated account statement from his inmate trust account. Although the account statement reveals that plaintiff has only \$0.72 in his account and has not received a deposit since July 14, 2009, the court notes that prior to plaintiff commencing this action on September 4, 2009, he received regular deposits into his inmate trust account. (See Doc. 5). Accordingly, the court will not modify the initial partial filing fee at this time, but will grant plaintiff an extension of time in which to pay it.

Accordingly, it is ORDERED:

Within **thirty (30) days** of the date of this order, plaintiff shall submit the initial partial filing fee of \$8.33. Failure to do so will result in a recommendation that this case be dismissed for plaintiff's failure to comply with an order of the court.

DONE AND ORDERED this 3rd day of December, 2009

/s/ *Miles Davis*

**MILES DAVIS
UNITED STATES MAGISTRATE JUDGE**