

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

KELLY WHISBY,  
Plaintiff,

vs.

Case No. 5:10cv175/RS/EMT

JOHN DOE, COMPOUND LIEUTENANT  
AT MARIANNA FEDERAL PRISON, et al.,  
Defendants.

\_\_\_\_\_ /

**ORDER**

This cause is before the court on Plaintiff's civil rights complaint filed pursuant to 42 U.S.C. § 1983 (Doc. 1). The court notes that Plaintiff has neither paid the filing fee nor submitted a motion to proceed in forma pauperis. Before this matter may proceed, Plaintiff must either pay the fee or obtain leave to proceed in forma pauperis by filing a fully and properly completed motion and attachments.

Accordingly, it is **ORDERED**:

1. 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. This case number should be written on the forms.
2. Within **THIRTY (30) DAYS** from the date of docketing of this order, Plaintiff shall (1) pay the filing fee of \$350.00, or (2) submit a fully 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.
3. Plaintiff's 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 6<sup>th</sup> day of July 2010.

*/s/ Elizabeth M. Timothy* \_\_\_\_\_

**ELIZABETH M. TIMOTHY**  
**UNITED STATES MAGISTRATE JUDGE**