

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

STEVEN WALSBURG,

Plaintiff,

v.

CASE NO. 5:11-cv-00006-RS-GRJ

FLORIDA DEPT OF CORRECTIONS,

et al,

Defendants.

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**ORDER**

Presently before the Court is Plaintiff's Motion for Leave to Proceed *in Forma Pauperis*. (Doc. 2.) Plaintiff has filed a motion with an affidavit for use by non-prisoners seeking leave to proceed *in forma pauperis*. Plaintiff must complete, sign, and have a prison official certify his account information on a Prisoner Consent Form, which will be sent to him by the Clerk. Although Plaintiff submitted inmate account information, he must resubmit it with the certification by a prison official.

The Court notes that Plaintiff filed a previous lawsuit raising these same issues, but voluntarily dismissed it and requested a refund of his partial payment on August 24, 2010. (See Case No. 5:20cv192-RS-GRJ). The Court allowed the refund because the case was dismissed so early in the process and because Plaintiff stated that he was unaware that the filing fee had increased to \$350.00. Plaintiff should take note that the filing fee is still \$350.00, and if he decides to proceed he will not be allowed a refund as in the previous case should he decide to dismiss the present case at some point.

Accordingly, it is **ORDERED**:

1. The Clerk of Court shall mail to Plaintiff a blank Prisoner Consent Form which

he shall complete, and have signed by a prison official. Plaintiff must file the form with his inmate account information no later than **February 4, 2011**.

2. Ruling on the motion for leave to proceed will be deferred until these documents are filed, and no further action will be taken on his complaint until the matter of court costs is resolved.

**DONE AND ORDERED** this 20<sup>th</sup> day of January, 2011.

*s/ Gary R. Jones*

GARY R. JONES  
United States Magistrate Judge