

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION**

MARQUIS B. WEST,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CASE NO. 4:10-CV-108-CDL-MSH
	:	
BRIAN OWENS, <i>et al.</i> ,	:	42 U.S.C. § 1983
	:	
Defendants.	:	

**RECOMMENDATION OF DISMISSAL**

On September 30, 2010, Plaintiff filed a civil rights Complaint (Doc. 1), pursuant to 42 U.S.C. § 1983, along with a request to proceed without the prepayment of the \$350.00 filing fee (Doc. 3). Plaintiff, however, failed to file a **certified** copy of his prison trust account statement signed by an authorized institutional officer regarding the current balance in his inmate account. Additionally, Plaintiff failed to present his claims on the standard 42 U.S.C. § 1983 forms required by this Court. On October 1, 2010, this Court therefore ordered Plaintiff to file, within fourteen days, the following: (1) a completed 42 U.S.C. § 1983 form; (2) a completed certificate signed by an authorized institutional officer regarding the current balance in his inmate account; and, (3) a copy of his inmate trust fund balance for the six-month period preceding the filing of the instant action certified by an authorized institutional officer.

Plaintiff was advised in the Court's October 1 Order that his failure to submit the Section 1983 form or IFP information would result in the dismissal of his action. Despite this warning, Plaintiff failed to comply with the Order. The Complaint has not been filed on

a proper form containing the requisite information for a Section 1983 action, and the Plaintiff has not paid the filing fee or submitted a completed motion to proceed IFP with a certified trust account statement.

WHEREFORE it is recommended that Plaintiff's action be **DISMISSED** for failure to pay the filing fee and comply with the Court's October 1 Order. Pursuant to 28 U.S.C. § 636(b)(1), the Plaintiff may serve and file written objections to this recommendation with the UNITED STATES DISTRICT JUDGE within fourteen (14) days after being served a copy of this recommendation.

**SO RECOMMENDED**, this 2nd day of November, 2010.

S/ Stephen Hyles  
UNITED STATES MAGISTRATE JUDGE